

**NOTICE OF INTENTION**  
**CITY OF PACIFIC WATER AND SEWER DISTRICT**  
**GREEN VALLEY FARMS PROPERTY PROPOSED SERVICE AREA CHANGE**

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I. ADVANCE COURTESY NOTIFICATION

*Advance Courtesy Notification package was submitted to the Boundary Review Board on June 22, 2022.*

II. BACKGROUND INFORMATION/MAPS

A. Basic Information:

1. A brief statement of and reason for seeking the proposed action. Include a statement of the method used to initiate the proposed action (i.e., a petition or election method), and the complete RCW designation.

*The proposed action is to change the water and sewer service area for approximately 20.5 acres of vacant land to be included in the City of Sumner water and sewer service area.*

*The subject property includes parcels 362104-9016 and 362104-9077 which comprise 20.5 acres of vacant land located east of the White River in the City of Pacific owned by Green Valley Farms Land LLC (the GVF property). The southern boundary of the GVF property aligns with the Sumner/Pacific and Pierce/King County boundaries. The remainder of the City of Pacific properties located east of the White River are unimproved King County open space property that include wetlands and the White River Setback Levee.*

*The GVF property is within the City of Pacific Sewer Service Area, but it is not mapped as being within any water service area. Connection to City of Pacific water and sewer would require an extension of utilities under or over the White River, which would impact critical areas, the King County setback levee, and the shoreline riparian corridor. It is economically and technologically inefficient for Pacific to provide water and sanitary sewer service to the GVF property.*

*The GVF property land use designation in the City of Pacific Comprehensive Plan was changed from Open Space-Residential to Light Industrial with a Manufacturing Industrial Center Overlay approved September 2021. The Comprehensive Plan Amendment was subject to the mutual approval by the King and Pierce County Boundary Review Boards of a change in service area.*

*The City of Pacific and City of Sumner have entered into an Interlocal Agreement (Exhibit A), most recently amended on March 13, 2023, expressing their support and cooperation to modify the water and sewer service area*



*boundaries so that the GVF property would be served by the City of Sumner. In addition, extension of utilities to the GVF property from the adjacent Sumner property to the south is agreeable to that property owner, who is also under contract to purchase the GVF property. In the Sumner SeaPort development, the utility sizes and locations have been planned to accommodate the future extension to the GVF property. The City of Sumner would be best able to provide sewer and water services to the GVF property.*

2. A signed and certified copy of the action accepting the proposal as officially passed.

***Exhibit A – Resolution No. 2023-876 Amending the 2011 Sanitary Sewer System Plan Service Area Map***

3. Certification of any petitions for municipal annexation, as required by state law 35A.01.040 (4).

*Not applicable.*

4. A copy of the State Environmental Policy Act (SEPA) Determination and current SEPA checklist with adequate explanations to answers, including Section D, Government Non-project Actions, when applicable, or Environmental Impact Statement (EIS) if prepared. (Not required for city annexations, which are exempt from SEPA)

***Exhibit B1 – Completed SEPA Checklist – Sumner Lead Agency***

***Exhibit B2 – Completed SEPA Checklist – Pacific Lead Agency***

***Exhibit C1 – Mitigation Determination of Non-significance – Sumner***

***Exhibit C2 - Determination of Non-significance – Pacific***

***Exhibit D1 – Sumner Distribution List for the SEPA Checklist review***

***Exhibit D2– Pacific Agency Distribution List for the SEPA Checklist review***

5. The legal description of the boundaries of the area involved in the proposed action. This must be legible, on a separate page from any other document, and in a form capable of reproduction by standard photocopiers.

***Exhibit E – Legal Description***

**B. Maps:**

1. Two copies or sets of King County Assessor’s maps (only two rather than six in the case of assessor’s maps) on which the boundary of the area involved in the proposal must be clearly indicated.

***Exhibit F.1 – King County Assessor’s map SE362104 – Copy 1 of 2***

***Exhibit F.2 – King County Assessor’s map SE362104 – Copy 2 of 2***

2. Vicinity map(s) no larger than 8 ½ X 11 inches displaying:
  - a) The boundary of the area involved in the proposal.
  - b) The entity corporate limits in relationship to the proposal.
    - i. Major physical features such as bodies of water, major streets and highways.
    - ii. The boundaries of all cities or special purpose districts (to include, if applicable, any water, sewer, fire, school, hospital or library district) having jurisdiction in or near the proposal. Include all utility districts whose comprehensive plans include all or any part of the proposal, even if only in a planning area.
  - c) Surrounding streets must be clearly identified and labeled.
  - d) County and municipal growth area boundaries established or proposed under the Growth Management Act (GMA).
  - e) If a boundary service agreement has been formalized between two or more jurisdictions, that service line should be shown with the appropriate entity noted in each service area.
  - f) Tax lot(s) that will be divided by the proposed boundaries should be shown on an attached detailed map.

***Exhibit G – City Boundaries***

***Exhibit H – Urban Growth Area Boundaries***

***Exhibit I – Water Service Areas***

***Exhibit J – Sewer Service Areas***

***Exhibit K – Fire Districts***

***Exhibit L – School Districts***

3. A map of the current corporate limits of the filing entity upon which the proposal has been delineated.

***Exhibit M – Vicinity Map with only Corporate Limits and Proposed Water and Sewer Service Areas***

### III. EVALUATION CRITERIA

Entities shall respond to the following elements regarding this proposal with sufficient information to permit appropriate responses to the Board from staff of either the King County Council or King County Executive. These elements relate to the other factors the Board must consider as outlined in RCW 36.93.170 (attached).

A. Overview

1. Population of proposal; what percentage is that to existing entity?

*The GVF property is vacant land with no population. The City of Pacific's 2021 population estimate is 7,105.*

*If approved, the proposed light industrial land use is anticipated to employ approximately 200-250 people, which represents approximately 3% of the City of Pacific's population.*

2. Territory (number of acres)

*The GVF property is approximately 20.5 acres of vacant land.*

3. Population density

*The GVF property will not be residential land; the land use designation has been conditionally approved for Light Industrial type uses. It is estimated that approximately 200-250 people will work at the warehouse building that is proposed to be developed on the 20.5 acre site, which would be an employment density of 9.8-12.2 jobs per acre.*

4. Assessed valuation

*The King County Assessor's appraised value of the two parcels is \$819,000.*

B. Land Use

1. Existing:

*The GVP Property is currently undeveloped land that has been recently used as farmland. The property was classified as Residential Open Space in the City of Pacific Comprehensive Plan but was recently approved (September 2021) to be classified as Light Industrial (LI) with a Manufacturing Industrial Center (MIC) overlay. The City Council approved the Comprehensive Plan map amendment with three conditions to be completed within two years:*

- A. An Interlocal Agreement with the City of Sumner to provide water service to the property is mutually approved by the City of Pacific and City of Sumner and by the King and Pierce County Boundary Review Boards.*
- B. An Interlocal Agreement with the City of Sumner to provide sewer service to the property is mutually approved by the City of Pacific and City of Sumner and by the King and Pierce County Boundary Review Boards.*
- C. The applicant must obtain an agreement which provides access to 8<sup>th</sup> Street E in the City of Sumner through the property to the south. This agreement must be*

*approved by the City of Pacific, which approval will not be unreasonably conditioned or withheld.*

***See Exhibit N – Ordinance No. 2021-2047 Comprehensive Plan Amendment***

*This Application is in furtherance of the Pacific City Council conditions of approval.*

2. Proposed (immediate or long-range):

*A light industrial use is proposed to be built on the site, which would function as the seventh and last building in the Sumner SeaPort development (all of the development is built adjacent to GVP property to the south in City of Sumner). If approved, the industrial development on the GVP property would be the only building of the SeaPort development that is located within City of Pacific limits.*

C. State Growth Management Act

1. Is the proposed action in conformance with the Growth Management Act (GMA)?  
What specific policies apply to this proposal?

*The proposed action is in conformance with the GMA. Specific goals and policies, as stated in RCW 36.70A that apply to the change in water and sewer service area include:*

*36.70A.020*

*(1) Urban Growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient area.*

*The water and sewer service area change reflects decisions made between adjacent water purveyors for efficient provision of water service now and in the future.*

*(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.*

*The proposal will support new industrial and warehouse economic development use within the Sumner-Pacific Manufacturing Industrial Center (MIC). The proposal is consistent with and supports the Sumner-Pacific MIC goals and policies.*

*(12) Public facilities and services. Ensure that those public facilities and services necessary to support development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

*The City of Sumner currently provides service to the adjacent Sumner SeaPort development to the south, owned by SeaPORT-Land LLC. The GVF properties can be provided water, stormwater, and sanitary sewer service most efficiently by the City of Sumner. For the City of Pacific to provide water and sanitary sewer service, utilities would need to be extended over or under the White River, requiring impacts to critical areas, the setback levee, and the shoreline riparian buffer.*

2. King County Comprehensive Plan/Ordinances

- a. How does County planning under the Growth Management Act (GMA) relate to this proposal?

*County planning under the GMA relates to this proposal at the Countywide level through the Countywide Planning and Comprehensive Plan policies (see answers to the following sections).*

- b. What King County Comprehensive Plan policies specifically support this proposal?

**Note:** Notices of Intention for Municipal actions should reference, at a minimum, relevant policies from the following King County Comprehensive Plan Chapters: Chapter 1 – Regional Planning; Chapter 2 – Urban Communities (Section 1; Section 11); Chapter 7 – Utilities and Facilities.

**RP-101:** *King County shall strive to provide a high quality of life for all of its residents by working with cities, special purpose districts and residents to develop attractive, safe and accessible communities at appropriate urban and rural service levels; retain rural character and rural neighborhoods; support economic development; promote equity and social justice; preserve and maintain resource and open space lands; preserve the natural environment; and protect significant cultural and historic resources.*

**RP-104:** *King County’s planning should include multicounty, countywide, and subarea levels of planning. Working with residents, special purpose districts and cities as planning partners, the county shall strive to balance the differing needs identified across or within plans at these geographic levels.*

**RP-119:** *King County shall prepare functional plans to identify countywide facility and service needs and define ways to fund these consistent with the King County Comprehensive Plan. Independent special purpose districts and other public agencies also prepare functional plans that should be considered by King County.*

**F-204:** *King County should work with the cities, special purpose districts and other service providers to define regional and local services and to determine the appropriate providers of those services.*

- c. What King County/Countywide Planning Policies specifically support this proposal?

**Note:** Notices of Intention for Municipal actions should reference, at a minimum, relevant policies from the following King County/Countywide Policies Chapters: Chapter II – Critical Areas; Chapter III – Land Use Patterns; Chapter IV – Transportation; Chapter V Section D – Community Character and Open Space; and Chapter VII – Contiguous Orderly Development and Provision of Urban Services.

*The 2021 King County Countywide Planning Policies, Ordinance 19384, did not follow the same chapter outline as provided above in the Note. An attempt was made to identify the types of policies referenced in the Note.*

**En-3:** *Locate development and supportive infrastructure in a manner that minimizes impacts to natural features. Promote the use of traditional and innovative environmentally sensitive development practices, including design, materials, construction, and ongoing maintenance.*

**PF-3:** *Provide reliable and cost-effective services to the public through coordination among jurisdictions and special purpose districts.*

**PF-6:** *Ensure that all residents have access to a safe, reliably maintained, and sustainable drinking water source that meets present and future needs.*

**PF-7:** *Coordinate water supply among local jurisdictions, tribal governments, and water purveyors to ensure reliable, sustainable, and cost-effective sources of water for all users and needs, including residents, businesses, fire districts, and aquatic species.*

- i. What is the adopted plan classification/zoning? (Please include number of lots included under this classification)

*The land use designation for the site was recently conditionally changed in the City of Pacific Comprehensive Plan Land Use Map from Residential Open Space to Light Industrial (LI) with a Manufacturing Industrial Center (MIC) Overlay.*

*The site is part of the Sumner-Pacific Manufacturing Industrial Center (SPMIC), a 2,100 acre subplan area that spans across both cities. The SPMIC is identified in PSRC's Vision 2050 as a Regional Manufacturing/Industrial Employment Center.*

- ii. Will city regulation(s) supplant King County regulations for the protection of sensitive areas, preservation of agricultural or other resource lands, preservation of landmarks or landmark districts,

or surface water control? If so, describe the city regulations and how they compare to the County regulations.

*The area is currently contained within the City of Pacific, and Pacific's land use policies would prevail in protective regulations. No changes are anticipated to the City of Pacific regulations that are associated with the change in provision of water and sewer services.*

D. Jurisdictional Comprehensive Plan/Franchise. (Applies to Cities and Special Purpose Districts)

1. How does the jurisdiction's planning under the Growth Management Act (GMA) relate to this proposal?

*The area is designated as urban and is within the City of Pacific's city limits.*

*The area is also part of the future Sumner Pacific MIC subplan area, a joint planning effort between Pacific and Sumner to support the implementation of the GMA by pursuing the PSRC designation of the area as a regional MIC and developing the 2018 SPMIC Subarea Plan (in which the site was identified as a future SPMIC area).*

2. Has the jurisdiction adopted a Potential Annexation Area (PAA) under the Growth Management Act?

*Not applicable. The property is not within a Potential Annexation Area and it will remain within the City of Pacific corporate boundaries.*

3. When was your Comprehensive Plan approved? Does this plan meet requirements set by the State of Washington? Does this plan meet requirements set by King County?

*The Pacific Comprehensive Plan's last periodic update was in 2018 and has annual amendments since then. The Pacific Comprehensive Plan is due for its periodic update to be completed in 2024. The Washington State Department of Commerce Growth Management Progress Report indicates that the Comprehensive Plan Update status is "overdue". The Puget Sound Regional Council certified the Comprehensive Plan in 2017.*

***See Exhibit O – PSRC Certification***

*The Pacific Water Systems Plan was adopted and approved by the Department of Health in 2008, the Sanitary Sewer Plan was adopted and approved by Ecology in 2010, and the Comprehensive Storm Drainage Plan was adopted and approved by Ecology in 2001 and later supplemented by the Stormwater Management Plan in 2009.*

*The City of Sumner Comprehensive Plan was approved in May 2021 and meets requirements by the State of Washington and Pierce County. The Sumner Water Systems Plan was adopted in 2009, the Sewer Collection System Comprehensive Plan in 2000, and the Stormwater Comprehensive Plan in 2011.*



*Pacific will be required to update their sewer plan as part of the service boundary changes, but will not need to update their water plan as the water service area will not change. Sumner however will be required to be updated both their water and sewer service plans.*

4. Is this proposal consistent with and specifically permitted in the jurisdiction's adopted Comprehensive Plan, or will a plan amendment be required? If so, when will that amendment be completed?

**Note:** The proponent is required to provide written confirmation that the jurisdiction's Comprehensive Plan is current and that the Plan confirms the jurisdiction's authority to change or create new boundaries.

A proponent representing a Special Purpose District shall ensure that the Special Purpose District Comprehensive Plan is on file with King County Natural Resources and Parks Department or shall provide a copy of the current Comprehensive Plan with the Notice of Intention.

*On September 27, 2021, the City of Pacific approved a Comprehensive Plan Map Amendment for the subject property to change the land use designation from Open Space-Residential to Light Industrial with a MIC Overlay. The approval was subject to the mutual approval by the King and Pierce County Boundary Review Boards of a change in service area. See **Exhibit N** – Ordinance No. 2021-2047 Comprehensive Plan Amendment*

*The proposal is consistent with the Sumner Pacific MIC Subarea Plan.*

5. Is a franchise required to provide service to this area? If so, is the area included within your current franchise?

*A franchise is not required as the service area is completely within the City of Pacific corporate limits. Water, sewer, and storm utility service will be provided by City of Sumner.*

6. Has this area been the subject of an Interlocal Agreement? If so, please enclose a copy of the agreement.

*Yes, an Interlocal Agreement was signed between the City of Pacific and the City. See **Exhibit A** attached.*

*In September 2009 the City of Sumner and the City of Pacific entered an interlocal agreement as required by the PSRC to be considered for a regional MIC designation and commit to long range planning of the SPMIC. See **Exhibit P** - Interlocal Agmt for MIC application - Resolution 1443(S)*

7. Has this area been the subject of a pre-Annexation Zoning Agreement? If so, please enclose a signed copy of the agreement.

*Not applicable.*



8. What is the proposed land use designation in your adopted Comprehensive Plan? When were your proposed zoning regulations adopted?

*The GVF property is within the City of Pacific boundaries and the land use designation is set through the City of Pacific Comprehensive Plan. A Comprehensive Plan land use designation change was conditionally approved in September 2021 to change the designation from Open Space to Light Industrial (LI) with a Manufacturing Industrial Center (MIC) overlay. The property is also part of the Sumner Pacific MIC planning area and designated for future LI land use in the SPMIC Subarea Plan.*

*A rezone request is currently under review with the City but will not be officially approved until the Boundary Review Boards approve of the water and sewer district boundary changes. The rezone proposal would change the current zoning from Residential Open Space (RO) to Light Industrial (LI) with a MIC overlay.*

**E. Revenues/Expenditures Planning Data**

(please respond to only those questions which are relevant to the proposal)

- a. Estimate City expenditures  
*The change in service area will not impact the City of Pacific's expenditures. Service is not currently provided to the subject property.*
- b. Estimate City expenditures to be gained  
*The change in service area will not impact the City of Pacific's revenues. Service is not currently provided to the subject property.*
- c. Estimate County revenues lost  
*The change in service area will not impact King County revenues. Service is not currently provided to the subject property.*
- d. Estimate County expenditure reduction  
*The change in service area will not impact King County expenditures.*
- e. Estimate fire district revenue lost  
*None, the site will remain in the Valley Regional Fire Authority service area so no revenue will be lost.*
- f. Estimate fire district expenditure reduction  
*None, the site will remain in the Valley Regional Fire Authority service area so there will be no change to expenditures.*

**F. Services**

State whether the territory that is the subject of this action is presently within the service area or any other political subdivision or presently being served by any other political subdivision?

*The GVF property is presently incorporated within the City of Pacific and within the City of Pacific sewer service area but is not within the any water service area nor is it served by any other political subdivision.*

If so, please identify the other political subdivision. Please provide written documentation confirming that:

- Notification of the proposed annexation, assumption, merger or other action has been provided to that political subdivision;
- The other subdivision has completed action to approve/consent or deny approval/consent for the withdrawal of the territory;
- Transfer or territory has been accomplished in accord with applicable state law (e.g., RCW 36.93, RCW 35A.14, RCW 35.14).

State whether the proposed action would result in a change in any of the following services. If so, provide the following detailed information both on current service and on service following the proposed action, in order to allow for comparison. If there would be no change, name current service providers.

1. Water

- a. Directly or by contract?

*Water service will be provided by direct service from the City of Sumner. A separate change in service area is under review with the Pierce County Boundary Review Board to accept the water service area in the City of Sumner's boundaries.*

- b. Storage location(s), capacity?

*The following table describes the City of Sumner water storage capacity:*

| <u>Storage Facility Name</u> | <u>Total Volume</u>    | <u>Working Volume</u>  |
|------------------------------|------------------------|------------------------|
| <i>Sumner Springs</i>        | <i>1.0 mg</i>          | <i>1.0 mg</i>          |
| <i>County Springs</i>        | <i>68,000 gallons</i>  | <i>66,000 gallons</i>  |
| <i>South Tank</i>            | <i>2.0 mg</i>          | <i>2.0 mg</i>          |
| <i>North Tank</i>            | <i>2.0 mg</i>          | <i>2.0 mg</i>          |
| <i>Sumner Viewpoint</i>      | <i>330,000 gallons</i> | <i>193,900 gallons</i> |

*The location of the Sumner water storage facilities can be seen in **Exhibit Q - Sumner 2009 WSP - Existing Water Infrastructure***

- c. Mains to serve the area (diameter; location)

*The water mainline extension that has recently been constructed just south of the site consists of a 12-inch diameter main. City of Sumner water infrastructure will be extended from the existing Sumner SeaPort development south of the GVP property and is designed to support future industrial development of the area. The owner of the Sumner SeaPort development is also the proponent of the water and sewer service area changes and is, therefore, cooperative.*

- d. Pressure station location and measured flow

*The City of Sumner will provide water service to the GVF property; pressure station location and measured flow is not yet known. It is anticipated that water will be gravity fed with pressure attenuators.*

- e. Capacity available?

*According to the 2009 Sumner Water System Plan, it was projected that Sumner would have a source surplus of 2.43 million gallons per day in 2019 and 1.54 million gallons per day in 2029.*

- f. Water source (wells, Seattle, etc.)

*City of Sumner will provide water service, water is sourced from springs and wells.*

- g. Financing of proposed service (LID, ULID, Developer Extension, etc.)

*Developer Extension.*

## 2. Sewer Service

- a. Directly or by contract?

*Sewer service will be direct through City of Sumner.*

- b. Mains to service the area (diameter; location)

*The sewer mainline extension that has recently been constructed consists of an 8-inch diameter main. The sewer infrastructure will be extended from the existing Sumner SeaPort development directly south of the GVP property and is designed to support future industrial development of the site. The owner of the Sumner SeaPort development is also the proponent of the water and sewer service area changes and is, therefore, cooperative.*

- c. Gravity or Lift Station required?

*The southern office nodes can be served by gravity sewer.  
The northern office nodes will be served by grinder pump.*

- d. Disposal (Metro; city or district treatment plant)?

*Wastewater will be treated at the Sumner Regional Wastewater Treatment Plant and treated effluent discharged into the Stuck (White) River.*

- e. Capacity available?

*According to the 2020 NPDES fact sheet, the Sumner Wastewater Treatment Plant has the capacity to receive 6.10 million gallons per day. The 2018 Sumner Regional Wastewater Treatment Facility Annual Report identified 30% remaining capacity available for the City of Sumner.*

3. Fire Service

- a. Directly or by contract?

*The GVF property is currently served directly by the Valley Regional Fire Authority (VRFA). This service area will not change.*

- b. Nearest station(s)

*The nearest fire station is VRFA Station 38, located at 133 3<sup>rd</sup> Ave SE, approximately three miles northwest of the GVF property.*

- c. Response time?

*The VRFA has established a total response time (TRT) benchmark of seven minutes and 34 seconds (7:34) for emergency medical service (EMS) and seven minutes and 49 seconds (7:49) for fire. In 2021, the EMS TRT benchmark was met 59% of the time and the fire TRT benchmark was met 49% of the time.*

- d. Are they fully manned? How many part time and full time personnel?

*The VRFA's Operations Division is responsible for all emergency response operations and is staffed by 108 first responders.*

- e. Major equipment at station location (including type and number of emergency vehicles)

*The VRFA Station 38 is a single engine response station.*

- f. How many fully certified EMT/D-Fib personnel do you have?

*All VRFA firefighters are state-certified Emergency Medical Technician/Defibrillation Technician (EMT-B) and are International Fire Service Accreditation Congress (IFSAC) certified to the Firefighter II standard. Station 38 is staffed by a minimum of 3 fire fighters for 24 hour shifts 7 days a week.*

- g. What fire rating applies?

*The VRFA Pacific station has a Protection Classification (PC) of Protection Class 4, as rated by the Washington Surveying and Rating Bureau (WSRB) in November of 2017.*

h. Source of dispatch?

*Valley Communication Center, the fire alarm center in South King County, dispatches the appropriate resources depending on the type of emergency. Valley Communications Center is located in Kent, Washington.*

F. General

- a. In case of extensions of services, has an annexation agreement been required? If so, please attach a recorded copy of this agreement.

*No, an annexation agreement has not been required. An Interlocal Agreement, between Sumner and Pacific, for the sewer service area adjustment has been signed and is included in Exhibit A.*

- b. Describe the topography and natural boundaries of the proposal.

*According to a Geotechnical Engineering Study prepared by Earth Solutions NW, LLC (ESNW), topography of the GVF property is relatively flat. The property is located in the southeastern portion of the City of Pacific, with City of Sumner to the south and the City of Auburn to the east. The southernmost boundary of the GVF property marks the boundary with the City of Sumner and also marks the King/Pierce County line. The White River and King County setback levee runs to the west of the GVF property and the BNRR tracks mark the east boundary.*

- c. How much growth has been projected for this area during the next ten (10) year period? What source is the basis for this projection?

*A 379,663 square foot high-cube warehouse building is proposed to be built on the site, which would function as the seventh and last building in the SeaPort Logistics Center extending from Sumner. The project on the GVP property would be the only building within Pacific limits. It is anticipated that approximately 200-250 people will work at the future SeaPort Logistics warehouse development. The site is also part of the Sumner-Pacific Manufacturing Industrial Center (SPMIC), a 2,100-acre subplan area that spans across both Pacific and Sumner. According to the SPMIC Subarea Plan, the combined 2035 employment growth target for the SPMIC is 15,591 with 12,871 for Sumner and 2,720 for Pacific. PSRC Regional Manufacturing/Industrial Center criteria require a minimum target employment level of 20,000 jobs over a twenty-year time horizon. Given estimated (2015) employment in the SPMIC of 11,615, this means that at least 8,385 jobs, or approximately 54 percent of the combined growth target should occur within the SPMIC in the next twenty years. There is a total of 569 acres of developable land within the SPMIC. In order to meet employment goals, SPMIC would need to develop at an employment density of 14.7 jobs/acre.*

Describe any other municipal or community services relevant to this proposal.

*Municipal water and sewer service will be provided by the City of Sumner. Electricity and gas service will be provided by Puget Sound Energy (unchanged). Stormwater will flow to the City of Sumner in the stormwater system designed for the SeaPort Logistics Center to the south.*

- d. Describe briefly any delay in implementing service delivery to the area.

*There is no anticipated delay in implementing the service delivery to the area outside of the regulatory and entitlement processes required for land use permits, rezone approval and construction permits needed to construct the necessary infrastructure to support the extension of these services.*

- e. Briefly state your evaluation of the present adequacy, cost, or rates of service to the area and how you see future needs and costs increasing. Is there any other alternative source available for such services?

*The GVF property currently does not receive any water or sewer services. The property is within the City of Pacific sewer service area, but no connections have been established and the property is not within **any** water service area. Connection to City of Pacific water and sewer services would require an extension of utilities under or over the White River, including associated impact to critical areas, the King County setback levee, and shoreline riparian corridor. City of Pacific water and sewer service provisions to the site would be an economically and technologically inefficient alternative. City of Sumner has entered into an agreement with the City of Pacific and can provide adequate water and sewer services to the site that will meet the future needs of the area. The costs associated with the extension of utilities will be paid for by the developer.*

#### IV. FACTORS and OBJECTIVES

Please evaluate this proposal based upon the factors listed in RCW 36.93.170 and based upon objectives listed in RCW 36.93.180. Describe and discuss the ways in which your proposal is related to and supports (or conflicts with) each of these factors and objectives.

##### **RCW 36.93.170 – Factors to be considered by board – Incorporation proceedings exempt from state environmental policy act**

- i. Population and territory; population density; land area and land uses; comprehensive plans and zoning, as adopted under chapter 35.63, 35A.63, or 36.70 RCW; comprehensive plans and development regulations adopted under chapter 36.70A RCW; applicable service agreements entered into under chapter 36.115 or 39.34RCW; applicable interlocal annexation agreements between a county and its cities; per capita assessed valuation; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; the likelihood of significant growth in the area and in

adjacent incorporated and unincorporated areas during the next ten years; location and most desirable future location of community facilities;

- ii. Municipal services; need for municipal services; effect of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; prospects of governmental services from other sources; probable future needs for such services and controls; probable effect of proposal or alternative on cost and adequacy of services and controls in area and adjacent area; the effect on the finances, debt structure, and contractual obligations and rights of all affected governmental units; and
- iii. The effect of the proposal or alternative on adjacent areas, on mutual economic and social interests and on the local government structure of the county.

**RCW 36.93.180 – Objectives of boundary review board.**

- (1) Preservation of natural neighborhoods and communities;

*The change in water and sewer service area will not change any natural neighborhood or community boundary.*

- (2) Use of physical boundaries, including but not limited to bodies of water, highways, and land contours;

*The White River presents a physical boundary for the City of Pacific to provide water or sewer service to the GVF property. Utilities would need to be extended over or under the River in order for the City of Pacific to serve the GVP property.*

- (3) Creation and preservation of logical service areas;

*The change in water and sewer service aids in preserving logical service areas as the City of Sumner already services the neighboring parcel and there are no City of Pacific services in the vicinity.*

- (4) Prevention of abnormally irregular boundaries;

*The change in water and sewer service will not create any irregular boundaries.*

- (5) Discouragement of multiple incorporations of small cities and encouragement of incorporation of cities in excess of ten thousand population in heavily populated urban areas;

*Not applicable.*

- (6) Dissolution of inactive special purpose districts;

*Not applicable.*

(7) Adjustment of impractical boundaries;

*The change in water and sewer service adjusts an impractical boundary as utilities would need to be extended over or under the White River for the City of Pacific to provide water and sanitary sewer service to the area as the service provider. This option has the potential to adversely impact critical areas, the King County setback levee, and the shoreline riparian corridor and is economically and technologically inefficient.*

(8) Incorporation as cities or towns or annexation to cities or towns of unincorporated areas which are urban in character;

*Not applicable.*

(9) Protection of agricultural and rural lands which are designated for long term productive agricultural and resource use by a comprehensive plan adopted by the county legislative authority.

*The area is not designated as "prime farmland."*



**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2023-876**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AMENDING THE  
CITY OF PACIFIC 2011 SANITARY SEWER SYSTEM PLAN SERVICE AREA MAP,  
AND ESTABLISHING AN EFFECTIVE DATE.**

---

**WHEREAS**, the City of Pacific's comprehensive Sanitary Sewer System Plan was adopted as the official Sanitary Sewer System Plan for the City of Pacific on May 23, 2011; and

**WHEREAS**, the Sanitary Sewer System Plan Figure 2-6 Map shows the existing sewer service area for the City of Pacific; and

**WHEREAS**, an amendment to the Sanitary Sewer System Plan is required to revise sewer service area boundaries to remove two parcels from the service area map; and

**WHEREAS**, Resolution No. 2021-790 was adopted by City of Pacific on November 8, 2021 which authorizes the City of Sumner to provide sanitary sewer services to the SeaPort Mosby Property, identified as King County Tax Parcel Nos. 3621049016 and 3621049077; and

**WHEREAS**, the City has no sewer facilities in that area and extending City sewer to those two properties would be costs prohibitive due to impacts on critical areas, existing shoreline restrictions, and the site being landlocked from City of Pacific road and utility access; and

**WHEREAS**, the City of Sumner currently has sewer infrastructure in place at adjoining parcels that are part of this larger development project, therefore it is most logical to connect to City of Sumner sewer service; and

**WHEREAS**, the City of Pacific desires to modify its Sewer Service Area to remove the SeaPort Mosby Property from its boundaries in order to facilitate development of those properties; and

**WHEREAS**, the City Council deems it in the public interest to update the map to remove these two properties from the Pacific Sewer Service Area; and

**WHEREAS**, this matter has been submitted to the King County Boundary Review Board and therefore, this map change will not take effect or become final until such time as the Board takes action to approve this change and allow this small section of Pacific's Sewer Service Area to be incorporated into the Sumner Sewer Service Area; **NOW THEREFORE**,

**THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES  
RESOLVE AS FOLLOWS:**

**Section 1.** The City of Pacific, Washington, City Council authorizes the amendment of its 2011 Sanitary Sewer System Plan Service Area Map Figure 2-6 to remove King County Tax Parcel Nos. 3621049016 and 3621049077 from its boundaries.


**Section 2.** The map change shall take effect and become final immediately after the King County Boundary Review Board has approved the transfer of the two parcels described in this Resolution from the Pacific Sewer Service Area to the Sumner Sewer Service Area.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 13th DAY OF MARCH, 2023.**

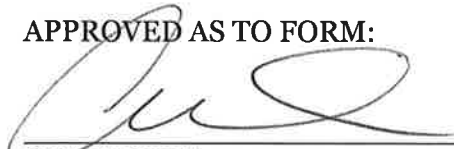
CITY OF PACIFIC

  
LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:











  
LAURIE CASSELL, MMC  
CITY CLERK

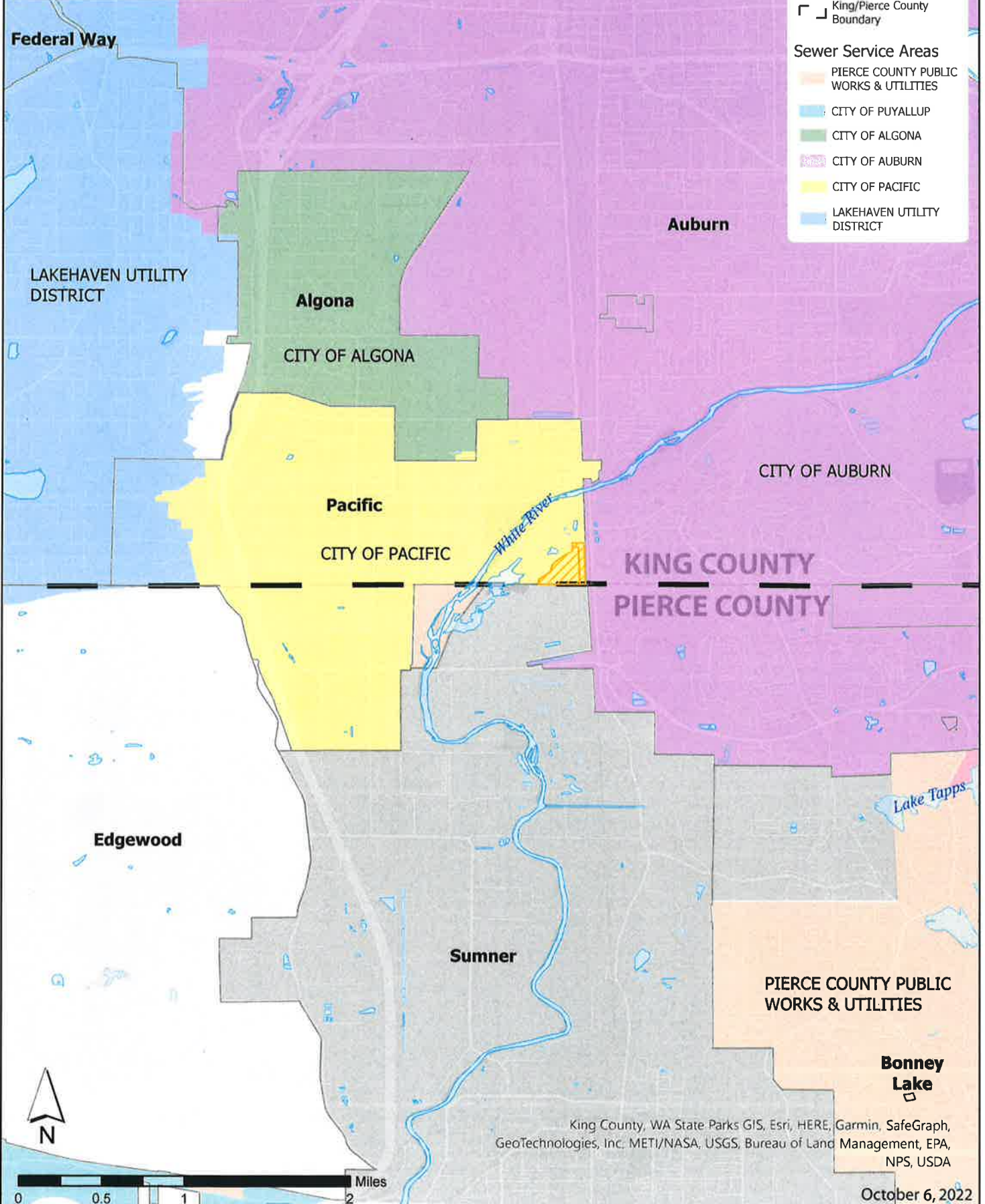
APPROVED AS TO FORM:

  
CHARLOTTE ARCHER, CITY ATTORNEY

# Green Valley Farms - Proposed Service Area Change

## Sewer Service Areas

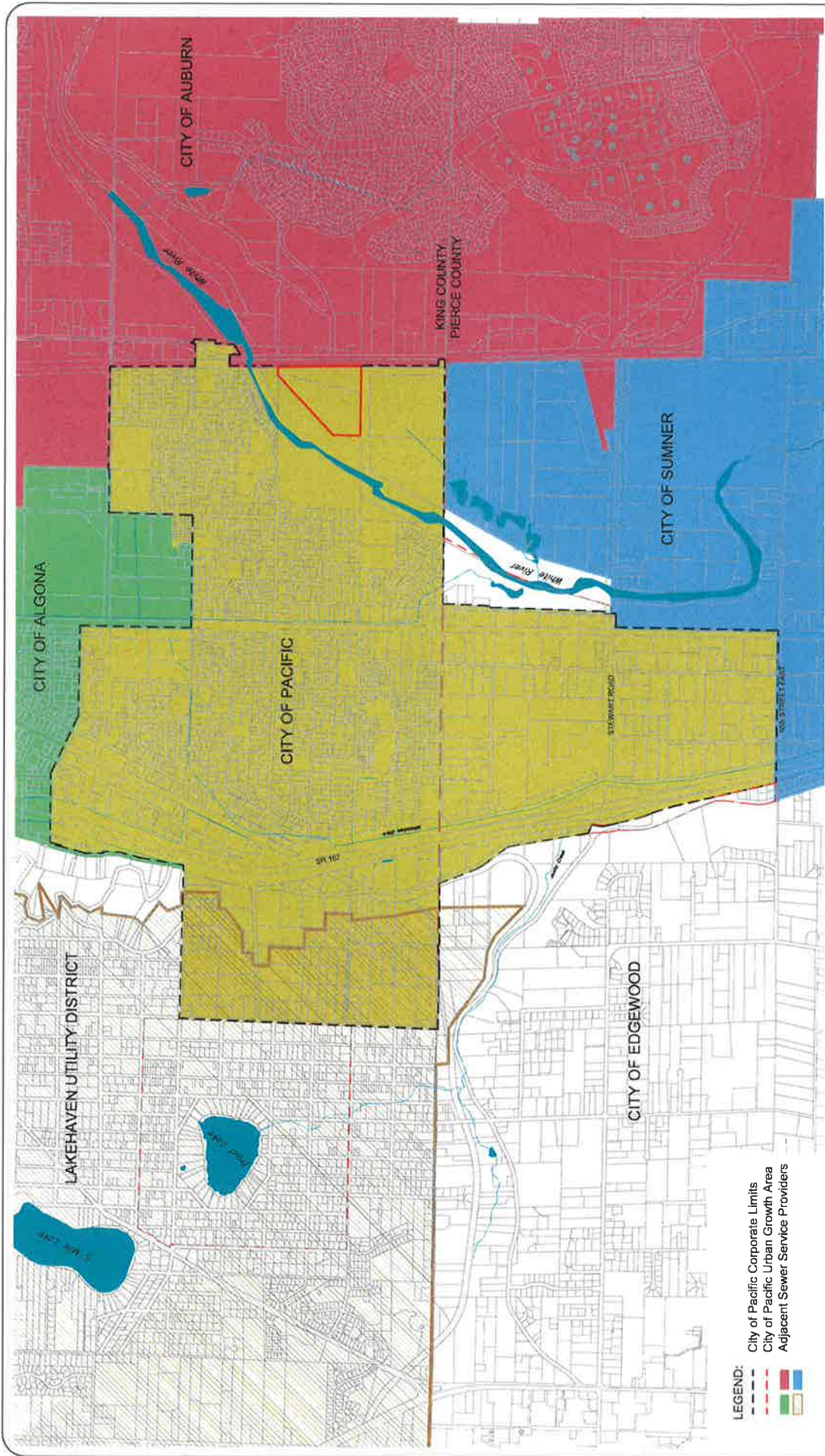
-  Site
  -  Water Bodies
  -  City Boundaries
  -  King/Pierce County Boundary
- Sewer Service Areas**
-  PIERCE COUNTY PUBLIC WORKS & UTILITIES
  -  CITY OF PUYALLUP
  -  CITY OF ALGONA
  -  CITY OF AUBURN
  -  CITY OF PACIFIC
  -  LAKEHAVEN UTILITY DISTRICT



King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc. METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

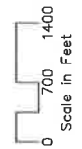
October 6, 2022





**Figure 2-6 CITY OF PACIFIC  
ADJACENT SEWER SERVICE  
PROVIDERS**

JOB: PAC001  
FILE: PAC001\_PIS-2.dwg





**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF PACIFIC AND THE CITY OF SUMNER  
FOR SANITARY SEWER, WATER, AND STORMWATER SERVICES**

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into this 8<sup>th</sup> day of November, 2021 by and between the City of Pacific, a municipal corporation of the State of Washington ("Pacific") and the City of Sumner, a municipal corporation of the State of Washington ("Sumner") (collectively "Parties" or individually a "Party") for the purposes set forth herein.

**RECITALS**

WHEREAS, Sumner is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Pacific is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Burr W. Mosby owns real property located at 5621 A St SE and 5635 A St SE within the City limits of Pacific, in the State of Washington, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, attached hereto and incorporated by reference ("Mosby Property").

WHEREAS, the Mosby Property is within the public works service area of the City of Pacific, but the nearest connection to Pacific's facilities available to the Mosby Property would require an extension under (or over) the White River, including critical area(s) and shoreline; and

WHEREAS, SeaPort-Land LLC, A Washington limited liability company, owns real property directly adjacent to the Mosby property and within the City limits of Sumner ("Tarragon Property") and has agreed to allow the Mosby property to connect to Sumner facilities through the Tarragon Property; and

WHEREAS, Sumner's Public Works Department provides sanitary sewer, municipal water, and stormwater services within Sumner's utility service areas and is willing to, and capable of providing the Mosby Property with sanitary sewer, municipal water, and stormwater services; and

WHEREAS, based on the potential construction impacts to critical areas and the substantial costs associated with a proposed connection between the Mosby Property and Pacific's utility infrastructure, it is economically and technologically inefficient for Pacific to provide sanitary sewer service to the Mosby Property; and

WHEREAS, both Sumner and Pacific strive to provide the most efficient means of providing sanitary sewer, water, and stormwater services to their residents and ratepayers; and

WHEREAS, pursuant to RCW 35.92.170 and 35.67.310, a code city may permit a connection with its water or sanitary sewer services beyond its corporate limits on terms and conditions as may be prescribed by ordinance, and evidenced by an agreement between the city and owner; and

WHEREAS, the owner of the Mosby Property has stated an interest in connecting to Sumner's facilities; and

WHEREAS, the Parties agree that Sumner would be best able to provide sanitary sewer, water, and stormwater services for the Mosby Property; and

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 authorizes municipalities to contract with each other for the provision of local government services; and

WHEREAS, the City of Pacific approved a zoning amendment, rezoning the Mosby Property from Residential Open Space (RO) to Light Industrial (LI) with a Manufacturing Industrial Center (MIC) Overlay zone. The amendment is set forth in Exhibit 2 attached hereto and made a part of as though fully set forth at length; and

WHEREAS, changes to water and sewer service areas are subject to review by the Washington State Department of Health under chapter 70A.100 RCW, and prior to this Agreement's entry into force, changes to Sumner's and Pacific's water service area must be approved by the Washington State Department of Health and any other entity with jurisdiction.

WHEREAS, the extension of water or sewer facilities outside of the boundaries of a city, and the reduction of a service area are both subject to review by the Boundary Review Board under chapter 36.93 RCW, and prior to entry into force this Agreement must be approved by both the Pierce and King County Boundary Review Boards.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the terms and condition herein, the Parties agree as follows:

1. **Recitals.** The recitals set forth above are hereby incorporated into this Agreement
2. **Provision of Services.**



A. The purpose of this Agreement is to provide for sanitary sewer, water, and stormwater services to the Mosby Property through connection to Sumner's facilities.

B. Pacific authorizes Sumner to provide sanitary sewer, water, and stormwater services for the Mosby Property, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, located within Pacific's corporate boundaries.

C. Sumner agrees to do all things necessary and/or appropriate to provide sanitary sewer, water, and stormwater services for the Mosby Property located within Pacific's jurisdiction, including but not limited to the procurement of any necessary approvals for the extension of services into the City of Pacific and King County, Washington to provide these services.

D. Pacific agrees to do all things necessary and/or appropriate to remove the Mosby Property from its service area so as to enable Sumner to provide services, including but not limited to receiving any necessary permissions from the King County Boundary Review Board.

E. As the designated provider of public works services, Sumner shall process all permits and approvals required for sanitary sewer, water, and stormwater service connection and/or operation, and shall be entitled to all system development costs and other fees associated with the development of the Mosby Property.

F. The Mosby Property shall at all times and in perpetuity be a Sumner sanitary sewer, water, and stormwater customer and subject to Sumner's rates and charges, including connection charges. Sumner shall bill the Mosby Property directly for services.

3. **Water System Plans.** Sumner and Pacific shall amend their respective Water System Plans to reflect the change in service area. Sumner and Pacific will both obtain approval of the amended plans from the Pierce and King County Utilities Technical Review Committee, respectively, and Washington State Department of Health. No connection to facilities shall commence prior to this approval.

4. **Boundary Review.** Sumner and Pacific will obtain approval of the service area changes from both the King County Boundary Review Board and Pierce County Boundary Review Board. No connection to facilities shall commence prior to this approval.

5. **Indemnification.**



Sumner shall indemnify, defend and hold harmless Pacific, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert witness fees) arising or growing out of or in connection with or related to, either directly or indirectly the connection to, and provision of sanitary sewer service to the Mosby Property, except to the extent such claims arise from the sole or partial negligence, error or omissions of Pacific, its employees, servants, and agents. Sumner agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Sumner, by mutual negotiation, hereby waives, as respects Pacific, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Pacific incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Sumner.

Pacific shall indemnify, defend and hold harmless Sumner, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert witness fees) arising or growing out of Pacific's sole or partial negligence, in carrying out its obligations herein. Pacific agrees that this its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Pacific, by mutual negotiation, hereby waives, as respects Sumner, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Sumner incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Pacific.

6. **Property and Financing.** No joint property is being acquired by the parties to this Agreement. No joint financing of any purchase, improvement, or activity is provided for in this Agreement and all construction shall be accomplished at no cost and expense to the City of Sumner.
7. **Compliance with Law.** Nothing in this Agreement shall be construed as excusing a Party from compliance with any applicable federal, state, or local laws and regulations. All such requirements and regulations are hereby made a condition of this Agreement. Violation of any such requirement or regulation shall constitute a breach of this Agreement by either Party.
8. **Binding on Successors.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties.

9. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The venue of any action brought arising out of this Agreement shall be King County Superior Court, Washington.
10. **Legal Review.** This Agreement has been reviewed and revised by legal counsel for all parties and no presumption or rule that ambiguity shall be construed against the party drafting the document shall apply to the interpretation or enforcement of this Agreement. These parties intend this Agreement to be interpreted to the full extent authorized by applicable law.
11. **No Third Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.
12. **Authority to Enter Agreement.** Each party represents and warrants that it has the full authority to enter into this Agreement, and that the individual executing this Agreement on its behalf is authorized to do so.
13. **Entire Agreement.** This Agreement represents the entire Agreement between the parties with respect to the subject matter hereof, and supersedes any prior agreements or understandings, written or oral, between the parties. Any agreement or modification of the terms and conditions of this Agreement shall be pursuant to a written document signed by both parties.
14. **Execution.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all counterparts together shall constitute by tone and the same instrument.
15. **Recording and Retention.** A copy of this Agreement shall be filed with the Sumner and Pacific City Clerks and, Pacific shall record a copy with the King County Auditor.
16. **Effective Date and Termination.** This Agreement shall be effective upon execution by both parties. The Agreement shall have no termination date and remain in effect unless terminated by either party by 180 days prior written notice to the other party.
17. **Notices.** All notices required under this Agreement shall be deemed sufficient if sent in writing by U.S. Mail or by electronic mail. All notices shall be delivered to the following addresses or to any other or additional addresses as may be specified from time to time by notice to either party. Notices shall be deemed received on the day sent electronically or 3 business days after the notice is placed in the U.S. Mail.

Sumner: Mike Dahlem  
Public Works Director  
City of Sumner  
1104 Maple St.  
Sumner, WA 98390

With a copy to: Sumner City Attorney


Pacific: Jim Morgan  
Public Works Director  
City of Pacific  
100 3rd Avenue SE  
Pacific, WA 98047

With a copy to: Pacific City Attorney

IN WITNESS WHEREOF, each of the parties has executed this Agreement by having its authorized representative affix his/her name in the appropriate space below:


CITY OF PACIFIC


CITY OF SUMNER

  
Name: Leanne Guier  
Title: Mayor

Date: 11/18/2021


Attested to:

  
Name: Laurie Cassell  
Title: City Clerk

  
Name: William L. Pugh  
Title: Mayor

Date: 11/22/21

Attested to:

  
Name: Michelle Converse  
Title: City Clerk

Tarragon (Mosby) Comprehensive Plan Change Request – CPL21-001

Comprehensive Plan Land Use Change





CITY OF  
**SUMNER**  
WASHINGTON

1104 MAPLE STREET, SUMNER WA 98396

November 29, 2021

City Clerk  
City of Pacific  
100 3<sup>rd</sup> Avenue SE  
Pacific, WA 98047

**RE: Interlocal Agreement**

Enclosed you will find one fully executed original of the Interlocal Agreement between the city of Sumner and Pacific regarding utilities for Mosby property.

A copy will be recorded with the Pierce County Auditor.

If you have any questions, please feel free to contact me at 253-299-5590.

Thank you,

*Michelle Converse*

Michelle Converse, CMC  
City Clerk

Enc.

*Rec'd  
12/1/2021*



**RESOLUTION NO. 1599  
CITY OF SUMNER, WASHINGTON**

**A RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SUMNER AND THE CITY OF PACIFIC FOR THE EXTENSION OF WATER AND STORM UTILITY SERVICES INTO THE CITY OF PACIFIC.**

**WHEREAS**, the City of Sumner and the City of Pacific seek to enter into an interlocal agreement enabling the City of Sumner to modify its water and sewer service areas and extend utilities into the City of Pacific, King County and Pacific's service area to provide utility services to a currently landlocked parcel unable to be reasonably served by the City of Pacific utilities; and

**WHEREAS**, the City Council has determined it to be in the best interest of the City of Sumner and the City of Pacific to enter into said interlocal agreement; and

**WHEREAS**, the City of Sumner is authorized, pursuant to Chapter 39.34 RCW, Interlocal Cooperation Act, to enter into such agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON:**

**Section 1. Authorization.** That the City Council hereby approves the Interlocal Agreement between the City of Sumner and the City of Pacific for the purpose of water and sewer utilities services extension, a copy of which is attached and incorporated by reference, and authorizes the Mayor to sign said agreement on behalf of the City of Sumner substantially in a form as approved by the City Attorney.

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

**Section 3. Effective Date.** This resolution shall take effect and be in force immediately upon passage by the City Council.

**ADOPTED AND APPROVED** this 15th day of November, 2021.

DocuSigned by:  
*William L. Pugh*  
55C9B7CE51A840F  
William L. Pugh, Mayor

Approved to as form:  
DocuSigned by:  
*Andrea Marquez*  
70511416A000070  
Andrea Marquez, City Attorney

Attest:  
DocuSigned by:  
*Michelle Converse*  
0BA22DE079054D1  
Michelle Converse, City Clerk

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF PACIFIC AND THE CITY OF SUMNER  
FOR SANITARY SEWER, WATER, AND STORMWATER SERVICES**

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the City of Pacific, a municipal corporation of the State of Washington ("Pacific") and the City of Sumner, a municipal corporation of the State of Washington ("Sumner") (collectively "Parties" or individually a "Party") for the purposes set forth herein.

**RECITALS**

WHEREAS, Sumner is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Pacific is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Burr W. Mosby owns real property located at 5621 A St SE and 5635 A St SE within the City limits of Pacific, in the State of Washington, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, attached hereto and incorporated by reference ("Mosby Property").

WHEREAS, the Mosby Property is within the public works service area of the City of Pacific, but the nearest connection to Pacific's facilities available to the Mosby Property would require an extension under (or over) the White River, including critical area(s) and shoreline; and

WHEREAS, SeaPort-Land LLC, A Washington limited liability company, owns real property directly adjacent to the Mosby property and within the City limits of Sumner ("Tarragon Property") and has agreed to allow the Mosby property to connect to Sumner facilities through the Tarragon Property; and

WHEREAS, Sumner's Public Works Department provides sanitary sewer, municipal water, and stormwater services within Sumner's utility service areas and is willing to, and capable of providing the Mosby Property with sanitary sewer, municipal water, and stormwater services; and

WHEREAS, based on the potential construction impacts to critical areas and the substantial costs associated with a proposed connection between the Mosby Property and Pacific's utility infrastructure, it is economically and technologically inefficient for Pacific to provide sanitary sewer service to the Mosby Property; and

WHEREAS, both Sumner and Pacific strive to provide the most efficient means of providing sanitary sewer, water, and stormwater services to their residents and ratepayers; and

WHEREAS, pursuant to RCW 35.92.170 and 35.67.310, a code city may permit a connection with its water or sanitary sewer services beyond its corporate limits on terms and conditions as may be prescribed by ordinance, and evidenced by an agreement between the city and owner; and

WHEREAS, the owner of the Mosby Property has stated an interest in connecting to Sumner's facilities; and

WHEREAS, the Parties agree that Sumner would be best able to provide sanitary sewer, water, and stormwater services for the Mosby Property; and

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 authorizes municipalities to contract with each other for the provision of local government services; and

WHEREAS, the City of Pacific approved a Comprehensive Plan land use map amendment, rezoning designating the Mosby Property from Open Space to Light Industrial (LI) with a Manufacturing Industrial Center (MIC) Overlay zone. The amendment is set forth in Exhibit 2 attached hereto and made a part of as though fully set forth at length; and

WHEREAS, changes to water and sewer service areas are subject to review by the Washington State Department of Health under chapter 70A.100 RCW, and prior to this Agreement's entry into force, changes to Sumner's and Pacific's water service area must be approved by the Washington State Department of Health and any other entity with jurisdiction.

WHEREAS, the extension of water or sewer facilities outside of the boundaries of a city, and the reduction of a service area are both subject to review by the Boundary Review Board under chapter 36.93 RCW, and prior to entry into force this Agreement must be approved by both the Pierce and King County Boundary Review Boards.

#### **AGREEMENT**

NOW, THEREFORE, in consideration of the terms and condition herein, the Parties agree as follows:

1. **Recitals.** The recitals set forth above are hereby incorporated into this Agreement
2. **Provision of Services.**

A. The purpose of this Agreement is to provide for sanitary sewer, water, and stormwater services to the Mosby Property through connection to Sumner's facilities.



B. Pacific authorizes Sumner to provide sanitary sewer, water, and stormwater services for the Mosby Property, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, located within Pacific's corporate boundaries.

C. Sumner agrees to do all things necessary and/or appropriate to provide sanitary sewer, water, and stormwater services for the Mosby Property located within Pacific's jurisdiction, including but not limited to the procurement of any necessary approvals for the extension of services into the City of Pacific and King County, Washington to provide these services.

D. Pacific agrees to do all things necessary and/or appropriate to remove the Mosby Property from its service area so as to enable Sumner to provide services, including but not limited to receiving any necessary permissions from the King County Boundary Review Board.

E. As the designated provider of public works services, Sumner shall process all permits and approvals required for sanitary sewer, water, and stormwater service connection and/or operation, and shall be entitled to all system development costs and other fees associated with the development of the Mosby Property.

F. The Mosby Property shall at all times and in perpetuity be a Sumner sanitary sewer, water, and stormwater customer and subject to Sumner's rates and charges, including connection charges. Sumner shall bill the Mosby Property directly for services.

3. **Water System Plans.** Sumner and Pacific shall amend their respective Water System Plans to reflect the change in service area. Sumner and Pacific will both obtain approval of the amended plans from the Pierce and King County Utilities Technical Review Committee, respectively, and Washington State Department of Health. No connection to facilities shall commence prior to this approval.

4. **Boundary Review.** Sumner and Pacific will obtain approval of the service area changes from both the King County Boundary Review Board and Pierce County Boundary Review Board. No connection to facilities shall commence prior to this approval.

5. **Indemnification.**

Sumner shall indemnify, defend and hold harmless Pacific, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert

witness fees) arising or growing out of or in connection with or related to, either directly or indirectly the connection to, and provision of sanitary sewer service to the Mosby Property, except to the extent such claims arise from the sole or partial negligence, error or omissions of Pacific, its employees, servants, and agents. Sumner agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Sumner, by mutual negotiation, hereby waives, as respects Pacific, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Pacific incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Sumner.

Pacific shall indemnify, defend and hold harmless Sumner, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert witness fees) arising or growing out of Pacific's sole or partial negligence, in carrying out its obligations herein. Pacific agrees that this its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Pacific, by mutual negotiation, hereby waives, as respects Sumner, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Sumner incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Pacific.

6. **Property and Financing.** No joint property is being acquired by the parties to this Agreement. No joint financing of any purchase, improvement, or activity is provided for in this Agreement and all construction shall be accomplished at no cost and expense to the City of Sumner.
7. **Compliance with Law.** Nothing in this Agreement shall be construed as excusing a Party from compliance with any applicable federal, state, or local laws and regulations. All such requirements and regulations are hereby made a condition of this Agreement. Violation of any such requirement or regulation shall constitute a breach of this Agreement by either Party.
8. **Binding on Successors.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties.
9. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The venue of any action brought arising out of this Agreement shall be King County Superior Court, Washington.

10. **Legal Review.** This Agreement has been reviewed and revised by legal counsel for all parties and no presumption or rule that ambiguity shall be construed against the party drafting the document shall apply to the interpretation or enforcement of this Agreement. These parties intend this Agreement to be interpreted to the full extent authorized by applicable law.
11. **No Third Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.
12. **Authority to Enter Agreement.** Each party represents and warrants that it has the full authority to enter into this Agreement, and that the individual executing this Agreement on its behalf is authorized to do so.
13. **Entire Agreement.** This Agreement represents the entire Agreement between the parties with respect to the subject matter hereof, and supersedes any prior agreements or understandings, written or oral, between the parties. Any agreement or modification of the terms and conditions of this Agreement shall be pursuant to a written document signed by both parties.
14. **Execution.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all counterparts together shall constitute by tone and the same instrument.
15. **Recording and Retention.** A copy of this Agreement shall be filed with the Sumner and Pacific City Clerks and, Pacific shall record a copy with the King County Auditor.
16. **Effective Date and Termination.** This Agreement shall be effective upon execution by both parties. The Agreement shall have no termination date and remain in effect unless terminated by either party by 180 days prior written notice to the other party.
17. **Notices.** All notices required under this Agreement shall be deemed sufficient if sent in writing by U.S. Mail or by electronic mail. All notices shall be delivered to the following addresses or to any other or additional addresses as may be specified from time to time by notice to either party. Notices shall be deemed received on the day sent electronically or 3 business days after the notice is placed in the U.S. Mail.

Sumner:           Mike Dahlem  
                      Public Works Director  
                      City of Sumner  
                      1104 Maple St.  
                      Sumner, WA 98390

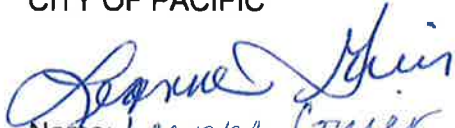
With a copy to: Sumner City Attorney

Pacific: Jim Morgan  
Public Works Director  
City of Pacific  
100 3rd Avenue SE  
Pacific, WA 98047

With a copy to: Pacific City Attorney


IN WITNESS WHEREOF, each of the parties has executed this Agreement by having its authorized representative affix his/her name in the appropriate space below:

CITY OF PACIFIC

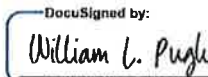
  
Name: Leanne Guier  
Title: Mayor

Date: 11/18/2021

Attested to:

  
Name: Laurie Cassell  
Title: City Clerk

CITY OF SUMNER

DocuSigned by:  
  
Name: William L. Pugh  
Title: Mayor

Date: 11/16/2021 | 6:11 PM PST

Attested to:

DocuSigned by:  
  
Name: Michelle Converse  
Title: City Clerk

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2021-790**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, AUTHORIZING  
THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE  
CITY OF SUMNER FOR UTILITY SERVICE TO KING COUNTY TAX PARCEL  
NOS. 362104-9016 AND 362104-9077**

---

**WHEREAS**, the City of Pacific received a request from the owner of real property located at 5621 A St SE and 5635 A St SE within the City limits of Pacific, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077 (the "Property") for utility services to serve the parcel; and

**WHEREAS**, the Property is within the public works service area of the City of Pacific, but the nearest connection to Pacific's facilities available to the Property would require an extension under (or over) the White River, including critical area(s) and shoreline; and

**WHEREAS**, SeaPort-Land LLC, A Washington limited liability company, owns real property directly adjacent to the Property and located within the City limits of the City of Sumner and has agreed to allow the Property to connect to Sumner facilities through the neighboring parcel; and

**WHEREAS**, Sumner's Public Works Department provides sanitary sewer, municipal water, and stormwater services within Sumner's utility service areas and is willing to, and capable of providing the Property with sanitary sewer, municipal water, and stormwater services, the cost of construction borne by the Property's owner; and

**WHEREAS**, based on the potential construction impacts to critical areas and the substantial costs associated with a proposed connection between the Property and Pacific's utility infrastructure, it is economically and technologically inefficient for Pacific to provide sanitary sewer service to the Property; and

**WHEREAS**, the Interlocal Cooperation Act, RCW 39.34 authorizes municipalities to contract with each other for the provision of local government services; and

**WHEREAS**, pursuant to RCW 35.92.170 and 35.67.310, a code city may permit a connection with its water or sanitary sewer services beyond its corporate limits on terms and conditions as may be prescribed by ordinance, and evidenced by an agreement between the city and owner; and

**WHEREAS**, both Sumner and Pacific agree that Sumner would be best able to provide sanitary sewer, water, and stormwater services for the Property, subject to review and approval of the proposed connection by the Washington State Department of Health

under chapter 70A.100 RCW and the King and Pierce County Boundary Review Boards under chapter 36.93 RCW;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1. Approval and Authorization.** The City Council authorizes the Mayor to execute the Interlocal Agreement with the City of Sumner, attached hereto as Exhibit A.

**Section 2. Corrections.** The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's errors, references, resolution numbering, section/subsection numbers and any references thereto.

**Section 3. Effective Date.** This Resolution shall take effect and be in full force upon passage and signatures hereon.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8th DAY OF NOVEMBER, 2021.**

CITY OF PACIFIC

  
LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

  
LAURIE CASSELL, CITY CLERK

APPROVED AS TO FORM:

  
CHARLOTTE ARCHER, CITY ATTORNEY





1104 MAPLE STREET, SUMNER WA 98390

**COMMUNITY DEVELOPMENT DEPARTMENT**

253-299-5520

## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

**Project Name:** Green Valley Farms Water and Sewer District Boundary Change

**Permit Application No:** SEPA-2022-0009

**Location:** 5635 and 5621 A Street SE Pacific, WA 98047

**Parcels:** 3621049077 and 3621049016

**Description of Proposal:** Proposal to change water and sewer services area boundaries of 20.51 acres of vacant land within the City of Pacific and adjacent to the City of Sumner. The service area boundary change requires de-annexation of the affected geographic area for water and sewer services from the City of Pacific and annexation of the affected geographic area for water and sewer services to the City of Sumner. If approved, the City of Sumner would provide sanitary sewer, water and stormwater services to the affected geographic area. The property will remain within the City of Pacific.

**Applicant:** Seaport – Land LLC, c/o Tarragon LLC. 601 Union Street Suite 3500, Seattle, WA 98101. (206) 233-9600

Contact – Lisa Klien, AHBL, 2215 North 30th Street, Suite 200, Tacoma, WA, 98403. (253) 383-2422.

**Lead Agency:** City of Sumner

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. **Documents are available on the City of Sumner website at [www.sumnerwa.gov](http://www.sumnerwa.gov).**

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

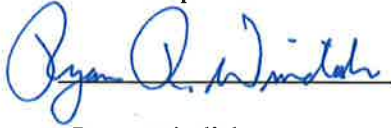
This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the issue date below.

**Responsible Official:** Ryan Windish

**Position/Title:** Community Development Director

**Address:** 1104 Maple Street Suite 250, Sumner, WA 98390 **Phone:** (253) 299- 5524

**Signature**



Ryan Windish

**Determination Date:** November 2, 2022

**Date Issued:** November 10, 2022

**Questions or comments:** Scott Waller, Associate Planner: [scottw@sumnerwa.gov](mailto:scottw@sumnerwa.gov)

### SEPA MITIGATION MEASURES

1. The Project shall comply with approved agreements and abide by all local, State and Federal regulations and receive necessary approvals prior to commencement of work.



# CITY OF PACIFIC SEPA NOTICE



## DETERMINATION OF NONSIGNIFICANCE FILE SEP-22-011 SEWER PLAN MAP AMENDMENT

**DATE OF NOTICE:** DECEMBER 9, 2022

**DESCRIPTION OF PROPOSAL:** Amendment of the 2011 City of Pacific Sewer Plan to modify the boundaries of the existing Sewer Service Area. The amendment will remove parcels 3621049077 and 3621049016 from the City of Pacific Sewer Service Area. A prior Determination of Nonsignificance was issued for this non-project action on December 20, 2010.

**APPLICANT:** Lisa Klein, AICP  
AHBL, Inc.  
2215 N 30<sup>th</sup> Street  
Tacoma, WA 98403

**STAFF CONTACT:** Chris Farnsworth, Associate Planner  
100 Third Avenue SE  
Pacific, WA 98047  
(253) 929-1111  
[cfarnsworth@ci.pacific.wa.us](mailto:cfarnsworth@ci.pacific.wa.us)

**LOCATION:** City of Pacific Sewer Service Area – See Figure 2-6 Map in provided files.

**LEAD AGENCY:** City of Pacific

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 and linked below.

**View Files:** <https://www.dropbox.com/sh/ddzdy6953m40xju/AACINcScYWNfd-glQPauzrxga?dl=0>  
Hardcopies to view at City Hall are available to the public on request.

### COMMENT PERIOD

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance. Comments must be submitted by **5:00 P.M. on December 23, 2022.**

### APPEAL PERIOD

Any person wishing to appeal this determination may file such an appeal within **twenty-one (21)** days from the issued date of this threshold determination to the Pacific City Clerk. All appeals of the above determination must be filed by **5:00 P.M. December 30, 2022.** There is a \$1000.00 fee to appeal this determination.

**RESPONSIBLE OFFICIAL:** Mark Newman, AICP - Community Development Manager  
100 3<sup>rd</sup> Ave. SE  
Pacific, Washington 98047

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## ***A. Background***

1. Name of proposed project, if applicable:

### **Green Valley Farms Water and Sewer District Boundary Change**

2. Name of applicant:

**SeaPort-Land, L.L.C.**

3. Address and phone number of applicant and contact person:

**Applicant**

**SeaPort-Land, L.L.C.**

**c/o Tarragon, L.L.C.**

**601 Union Street Suite 3500**

**Seattle, WA 98101-1370**

**Phone: (206) 233-9600**

**Contact**

**Lisa Klein, AICP**

**AHBL, Inc.**

**2215 North 30<sup>th</sup> Street, Suite 200**

**Tacoma, WA 98403**

**Phone: (253) 383-2422**

4. Date checklist prepared:

**July 26, 2022**

5. Agency requesting checklist:

**City of Sumner**

6. Proposed timing or schedule (including phasing, if applicable):

**The proposed service area boundary change is anticipated to be finalized by late 2022.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**Yes. The affected geographic area will be developed in 2023-2025. A separate permitting and environmental review process will occur for that proposal. The land use process for that proposal has been initiated with the City of Pacific.**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

**Has Been Prepared:**

- **Geotechnical Engineering Study prepared by Earth Solutions NW, LLC (ESNW)**
- **Critical Areas Reconnaissance Memo prepared by Anchor QEA dated November 2021**
- **SEPA Determination of Nonsignificance (DNS) for Comprehensive Plan Amendment and Rezone, issued May 28, 2021**
- **Interlocal Agreement signed by Cities of Sumner and Pacific dated November 8, 2021**
- **Topography and Boundary Survey prepared by AHBL dated May 2022**

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

**A Shoreline Substantial Development Permit, SEPA and Rezone Application was submitted to the City of Pacific in June 2022 for the development of the property.**

**The water and sewer service boundary change requires concurrent review/approval processes with the King County and Pierce County Boundary Review Boards and the cities of Sumner and Pacific.**

10. List any government approvals or permits that will be needed for your proposal, if known.

**City of Pacific**

- **Certification of petition**
- **Council approval of service area boundary change**

**City of Sumner**

- **Certification of petition**
- **SEPA Environmental Review for Non-project action**
- **Council approval of service area boundary change**

**King County Boundary Review Board**

- **Review and Approval of the service area boundary changes**

**Pierce County Boundary Review Board**

- **Review and Approval of the service area boundary changes**

**King and Pierce County Utilities Technical Review Committee, WA State Dept of Health**

- **Approval of City of Pacific and City of Sumner Water System Plan Amendments**



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.)

**The proposal is to change the water and sewer service area boundaries of 20.51 acres of vacant land located in the City of Pacific and adjacent to the City of Sumner. The service area boundary change requires de-annexation of the affected geographic area for water and sewer services from the City of Pacific and annexation of the affected geographic area for water and sewer services to the City of Sumner. After approval, the City of Sumner will provide sanitary sewer, water, and stormwater services to the affected geographic area. The property will remain within the City of Pacific's jurisdiction.**

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.

**The location of this proposal is in the City of Pacific on tax parcel numbers 362104-9077 and 362104-9016 ("Property"). The site address is 5635 and 5621 A Street SE, Pacific, WA.**

**Legal description parcel 362104-9077: POR OF SE 1/4 OF SE 1/4 OF STR 36-21-04 LY WLY OF BN RR R/W LESS E 16.5 FT & LESS N 130 FT & E 130 FT THOF & LESS POR LY WLY OF LN DAF- BAAP ON S LN OF SD SE 1/4 OF SD SEC LY 1226.67 FT WLY OF SE COR OF SD SUBD TH N 12-13-01 E 182.67 FT TH N 50-30-44 E 309.02 FT TH N 12-30 E 245.98 FT TH N 35-53-04 E 139.40 FT TH N 45-22-30 E 274.60 FT TH N 53-25-09 E 212.19 FT TH N 00-47-56 W 255 FT M/L TO N LN OF S 1/2 OF SE 1/4 OF SD SEC & TERMINUS OF SD DESC LN - PER SCC 14-2-23003-6KNT (REC# 20150416000492)**

**Legal description parcel 362104-9016: POR OF WLY 130 FT OF ELY 146.5 FT IN WIDTH OF THAT POR OF SE 1/4 OF SE 1/4 OF STR 36-21-04 LY WLY OF BN RR R/W TGW NLY 130 FT OF REMAINDER OF SD SE 1/4 OF SE 1/4 LY WLY OF SD ELY 146.5 FT LESS POR THOF LY WLY OF LN DAF - BAAP ON S LN OF SD SE 1/4 OF SD SEC LY 1226.67 FT WLY OF SE COR OF SD SUBD TH N 12-13-01 E 182.67 FT TH N 50-30-44 E 309.02 FT TH N 12-30 E 245.98 FT TH N 35-53-04 E 139.40 FT TH N 45-22-30 E 274.60 FT TH N 53-25-09 E 212.19 FT TH N 00-47-56 W 255 FT M/L TO N LN OF S 1/2 OF SE 1/4 OF SD SEC & TERMINUS OF SD DESC LN - PER SCC 14-2-23003-6KNT (REC# 20150416000492) LESS WLY 3.5 FT OF ELY 20 FT OF THAT POR SE 1/4 OF SE 36-21-4 LYING WLY OF BNSF R/W**



Figure 1 - Vicinity Map

## B. Environmental Elements

### 1. Earth

a. General description of the site:

(circle one): Flat rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

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

**According to the Geotechnical Engineering Study prepared by Earth Solutions NW, LLC (ESNW) topography of the affected geography area is relatively flat. The embankment to the north and west is roughly ten feet higher than the subject site, while the railway embankment is roughly 12 feet higher than the subject site.**

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

**ESNW indicated in the findings of the geotechnical report that underlying the topsoil at the test locations, native soils consisting of medium dense to dense silty sand, sandy silt, and poorly graded sands (SM ML, and SP, respectively) were encountered. In general, the poorly graded sands were observed to be underlying the finer grained soils observed in the upper 7 to 11 feet.**

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

**ESNW indicated in the findings of the geotechnical report that the subject parcel meets the PMC definition of a seismic hazard area. Adjacent to the affected geographic area, a mapped erosion hazard is present along the King County maintenance road that borders the property to the west. ESNW stated that future development will not adversely impact the mapped erosion hazard. SEPA review for future development will be conducted with required development applications.**

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

**There will be no grading or filling of the property as a result of the water and sewer system boundary changes.**

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

**There will be no exposure of soils or construction activity as a result of the water and sewer system boundary changes.**

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

**Construction is not a part of this proposal for water and sewer service boundary change. When developed in the future, less than 85 percent of the affected geographic area will be covered with impervious surfaces after project construction. Applications for future development will be separately reviewed under SEPA.**

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

**There will be no exposure of soils or construction activity resulting from the water and sewer system boundary changes.**

## **2. Air**

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

**No emissions to the air will be generated by this non-project action. Future development of the affected geographic area will undergo a separate permitting and environmental review process to determine what types of emissions to the air may occur during construction.**

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

**There are no known off-site emissions or odor that would affect the proposal.**

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

**The proposal is a non-project action that will not result in emissions, odors, or other air quality impacts; therefore, no mitigation measures are proposed. Future development of the affected geographic area will be subject to environmental review as required under Chapter 16.70 Environmental Review – State Environmental Policy Act (SEPA). All projects will be evaluated for potential air impacts in accordance with applicable policies, rules, and regulations adopted by the City of Pacific. Any impact will be appropriately mitigated in accordance with federal, state, and local air quality requirements.**

## **3. Water**

a. Surface Water:

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.

**The White River (a Type S stream, designated as a shoreline of statewide significance) is located approximately 100 feet to the west of the affected geographic area. According to the Wetland Reconnaissance Memo prepared by Anchor QEA, no wetlands are present directly on the affected geographic area. Two offsite wetlands associated with the White River have buffers that extend slightly onto the subject property.**

- 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.

**This is a non-project action; therefore, no development will occur over, in, or adjacent to any surface water body as part of the proposal. Impacts on surface water resources and wetlands from future development of the site will be subject to review consistent with the Pacific Municipal Code, including SEPA review.**

**Connection to City of Pacific for water and sewer service would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline. Given these environmental constraints and challenges that the White River poses and potential construction impacts to critical areas and shoreline, it is less impactful for the City of Sumner to provide sanitary sewer, water, and stormwater services to the affected geographic area.**

- 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.

**There will be no filling or dredging of surface waters or wetlands as result of this proposal.**

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

**There will be no surface water withdrawals or diversions that will occur as a result of this proposal.**

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

**The affected geographic area is not within identified flood plains, as shown on FEMA Firm Panel 53033C1263G, effective 8/19/2020.**

- 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.

**This is a non-project action; therefore, no discharges of waste materials to surface waters will occur as a result of this proposal.**

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

**No groundwater will be withdrawn from a well for drinking water or other purposes.**

- 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.

**No waste materials will enter ground or surface waters as a result of this proposal.**

c. Water runoff (including stormwater):

- 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.

**The main source of runoff is seasonal rainfall events. There will be no change to how surface water infiltrates or flows from the site as a result of this non-project action.**

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

**No waste materials will enter ground or surface waters as a result of this proposal.**

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

**This is a non-project action; therefore, drainage patterns in the vicinity of the proposal will not be altered.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**No measures are proposed or required for this non-project action.**

#### **4. *Plants***

a. Check the 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
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

**This is a non-project action; therefore, it will not result in the removal or alteration of any vegetation.**

c. List threatened and 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:

**The proposal is a non-project action; therefore, it does not directly involve landscaping or vegetation enhancement. Future development of the affected geographic area will be subject to review as required by the Pacific Municipal Code and SEPA rules. Additionally, future development of the affected geographic area will be subject to the City of Pacific landscaping code (Chapter 20.70 PMC).**

e. List all noxious weeds and invasive species known to be on or near the site.

**None known.**

## **5. Animals**

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other: **small birds and waterfowl**
- mammals: deer, bear, elk, beaver, other: **small mammals**
- fish: bass, salmon, trout, herring, shellfish, other: **Fall Chinook; Winter Steelhead; Resident Coastal Cutthroat; Coho Salmon; Fall Chum; Spring Chinook; Sockeye Salmon; Chinook Salmon; Bull Trout; Pink Salmon**

- b. List any threatened and endangered species known to be on or near the site.

**According to the Washington State Department of Fish and Wildlife (WDFW) priority habitat species mapping services, Fall Chinook; Residential Coastal Cutthroat; Fall Chum; Sockeye Salmon; and Pink Salmon are all listed as occurrences in the White River near the proposal. The Chinook Salmon, Bull Trout, and Winter Steelhead are listed as “threatened” at the federal level and Coho is listed as a “candidate” for federal endangered status.**

- c. Is the site part of a migration route? If so, explain.

**The Puget Sound region is part of the Pacific flyway, a bird migration route.**

- d. Proposed measures to preserve or enhance wildlife, if any:

**This is a non-project action; therefore, no mitigation to preserve or enhance wildlife is proposed. Future project actions will be subject to environmental review as required by Pacific Municipal Code 16.70 (SEPA) and will be evaluated by the City of Pacific to prevent and mitigate impacts to wildlife.**

**For future proposed development of the Property, connection to City of Sumer for water and sewer service will be far less impactful to wildlife than connection to City of Pacific. The reason is that extension of water and sewer service provided by Pacific would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline; whereas extension from Sumner would come from the adjacent developed property to the south.**

- d. List any invasive animal species known to be on or near the site.

**None known.**

## **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.

**This is a non-project action; therefore, no energy is required.**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**This is a non-project action; therefore, it will not affect the potential use of solar energy by adjacent properties.**

- 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:

**This is a non-project action; therefore, there are no associated energy impacts, and no mitigation measures are proposed.**

## **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.

**No, there are no environmental health hazards that could occur as a result of this non-project action.**

- 1) Describe any known or possible contamination at the site from present or past uses.

**The Washington Department of Ecology “What’s In My Neighborhood?” database identified two sites within 0.5 miles of the proposal:**

- **Pacific City Park, cleanup has started for soil and groundwater contamination due to releases from the former landfill and dumping ground. Facility ID 2160. The site is located west, across the White River, from the project.**
- **White River Countyline Levee Setback Project is located south of the project and is awaiting cleanup for the soil for metals and groundwater and sediment for Non-Halogenated Organics. Facility ID 21515.**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

**The National Pipeline Public Mapping System does not identify a hazardous chemical pipeline near the proposal. There are no known other hazardous chemicals/conditions.**

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

**This is a non-project action; therefore, it does not involve the storage or use of toxic or hazardous chemicals.**

- 4) Describe special emergency services that might be required.

**This is a non-project action; therefore, it does not require any additional special emergency services other than those normally provided for vacant land, such as police, emergency medical, and fire protection**

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

**This is a non-project action that is not likely to cause environmental health hazards; therefore, no measures are proposed to reduce or control environmental health hazards.**

*b. Noise*

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

**The primary source of noise in the area of the proposal comes from traffic along E Valley Highway and the Railroad. Noise generated by vehicular and train traffic will not impact the proposal.**

- 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 the site.

**This is a non-project action; therefore, no noise will be created by or associated with the proposal.**

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

**This is a non-project action; therefore, noise levels are not expected to increase under the proposal and no mitigation is proposed. Potential noise impacts associated with future development of the site will be subject to review as required by the Pacific Municipal Code including SEPA review.**

## **8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

**The affected geographical area is currently used for agriculture/farming and contains no structures. The adjacent uses include the following:**

**West: River/open space**

**South: Industrial**

**East: Industrial, residential**

**North: Open space, commercial, school, residential**

**The proposal is for a non-project action and will not affect adjacent properties.**

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

**The affected 20-acre property is currently actively used as agricultural land. This proposal is a non-project action and is one step in a series of processes required to convert the property to nonfarm use.**

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

**This is a non-project action; therefore, it will not impact or be impacted by surrounding agricultural or forest land operations.**

c. Describe any structures on the site.

**There are no existing structures on the affected geographic area.**

e. Will any structures be demolished? If so, what?

**Not applicable; there are no existing structures on the affected geographic area.**

f. What is the current zoning classification of the site?

**Existing zoning is Residential Open Space (RO). A separate rezone application has been submitted to the City of Pacific to rezone the site to Light Industrial (LI) with MIC Overlay.**

g. What is the current comprehensive plan designation of the site?

**The comprehensive plan designation was recently conditionally approved as Light Industrial.**

h. If applicable, what is the current shoreline master program designation of the site?

**Portions of the affected geographic area along the north and west property line have a shoreline designation of Shoreline Commercial.**

i. Has any part of the site been classified as a critical area by the city or county? If so, specify.

**The western boundary of the affected geographic area is classified by City of Pacific mapping as a steep slope/erosion hazard. The City's map also indicates a wetland, but a wetland reconnaissance completed by Anchor QEA concluded no wetlands are present on the site.**

i. Approximately how many people would reside or work in the completed project?

**No people would reside or work on the property as a result of the non-project action.**

j. Approximately how many people would the completed project displace?

**The property is vacant land. This is a non-project action; therefore, it will not displace any housing.**

k. Proposed measures to avoid or reduce displacement impacts, if any:

**This is non-project action and is not likely to displace any housing; therefore, no mitigation measures are proposed.**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**The water and sewer service boundary changes would allow for extension of existing water and sewer service located in the adjacent City of Sumner project known as SeaPort Logistics Center. The water and sewer facilities within that development have been sized to accommodate the future service extension to the subject property and the City of Sumner will be reviewing the construction drawings for conformance to their standards. The adjacent**

properties to the west and north are King County-owned land designated as open space and will not be affected by the proposal. The east boundary is adjacent to Burlington Northern and East Valley Highway right of way and will also not be affected by the proposal.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

**This is a non-project action and is not likely to cause impacts to agricultural and forest lands of long-term commercial significance; therefore, no mitigation measures are proposed.**

## **9. Housing**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

**This is a non-project action and will not create any housing units.**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

**This is a non-project action and will not eliminate any housing units.**

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

**This is non-project action that will not cause impacts to housing; therefore, no mitigation measures are proposed.**

## **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?

**This is a non-project action; therefore, no structures will be constructed. Future development of the affected geographic area will be subject to review as required by Pacific Municipal Code.**

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

**This is a non-project action; therefore, no views in the vicinity will be altered or obstructed.**

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

**This is non-project action and there will be no change to aesthetics; therefore, no mitigation measures are proposed.**

## **11. Light and Glare**

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



**No development activity will occur in conjunction with this non-project action; therefore, no new sources of light or glare will be produced. Potential light and glare impacts associated with future development of the affected geographic area will be subject to review as required by Pacific Municipal Code and a separate project-related SEPA environmental review.**

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

**No development activity will occur in conjunction with this non-project action; therefore, the proposal would not produce a safety hazard or interfere with views as a result of light or glare. Potential light and glare impacts associated with future development of the affected geographic area will be subject to review as required by Pacific Municipal Code and a separate project-related SEPA environmental review.**

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

**The change in water and sewer service boundaries would not be affected by off-site sources of light or glare.**

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

**This is non-project action that will not cause light and/or glare impacts; therefore, no mitigation measures are proposed.**

## ***12. Recreation***

a. What designated and informal recreational opportunities are in the immediate vicinity?

**Pacific City Park is located approximately 1,453 feet west of the proposal; Roegner Park is located approximately 2,000 feet north of the proposal; and Mill Pond Park is located approximately 3,300 feet northeast of the site. Lake Tapps and its associated public parks are located approximately 2.2 miles southeast from the site. The King County levee is used informally by the public for a walking path.**

b. Would the proposed project displace any existing recreational uses? If so, describe.

**No, this is a non-project action that will not displace existing recreational uses.**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**This is non-project action that will not cause impacts to recreation; therefore, no mitigation measures are proposed.**

## ***13. Historic and cultural preservation***

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

**There are no structures on the affected geographic area. The Washington State Department of Archeology and Historic Preservation (DAHP) Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database did not identify any buildings, structures, or sites eligible for preservation registers on or near the subject property.**

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

**The DAHP WISAARD did not identify evidence of Indian or historic landmarks, features, or occupation on or within the vicinity of the affected geographic area.**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

**The proposal utilized the Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database to assess potential impacts to cultural and historic resources on and near the affected geographic area.**

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**This is non-project action and is not expected cause impacts to landmarks or other historic or cultural resources; therefore, no mitigation measures are proposed.**

#### **14. Transportation**

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

**The property currently obtains access through a narrow unimproved access that extends from East Valley Hwy under the BNRR tracks.**

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

**A review of the Pierce Transit and King County Metro bus schedules indicates that DART Route 917 – Auburn, Algona, Pacific is near the vicinity of the affected geographic area. The closest stop in relation to the affected geographic area is located at the intersection of 3rd Avenue SE & Butte Avenue approximately 1.30-miles walking distance northwest.**

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**This is non-project action and will not create or eliminate parking spaces.**

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

**This is non-project action and will not require any new road or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities.**

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

**The affected geographic area is not in the immediate vicinity of water or air transportation. The affected geographic area is immediately adjacent to the Burlington Northern Railroad (BNRR) tracks which border the site on the east.**

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

**The completion of the proposed water and sewer service boundary changes will not generate vehicular trips. Future development of the proposal will undergo a separate environmental review process that will provide detailed data and analysis of proposed vehicular and truck trip generation.**

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

**This is non-project action and will interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area.**

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

**This is non-project action and is not expected to cause impacts to transportation; therefore, no mitigation measures are proposed.**

## **15. Public Services**

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

**This is a non-project action and will not result in an increased need for public transit, health care, fire protection, police protection, or schools. The applicant will be coordinating with the fire district to address requirements for the proposed water service boundary change.**

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

**This is non-project action and is not likely to cause impacts to public services; therefore, no mitigation measures are proposed. Any requirements of the fire district relating to the water service boundary changes will be coordinated and addressed.**

**16. Utilities**

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_


**The property is vacant farm land. Water and sewer service, as well as other utilities, is available in the adjacent, City of Sumner property known as SeaPort Logistics Center.**

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.

**This is a non-project action that does not propose new utilities, rather it changes the water and sewer district boundaries for the affected geographic area. It will change them from the current City of Pacific service area to City of Sumner service area (however the property will remain within the City of Pacific jurisdiction).**

**C. Signature**

The above answers 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: 

Name of signee: Lisa Klein, AICP

Position and Agency/Organization: Associate Principal, AHBL

Date Submitted: July 26, 2022

## ***D. Supplemental sheet for nonproject actions***

**(IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**The water and sewer district boundary change is a non-project action that proposes no construction and would not have any impact on air emissions or the production, storage, or release of toxic or hazardous substances. The non-project action is also not likely to cause an increase to discharges to water or in noise production.**

Proposed measures to avoid or reduce such increases are:

**As this non-project action is not likely to cause increases to discharges to water, emissions to air, production of noise, or production, storage, or release of toxic or hazardous substances, no mitigation measures are proposed.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**The proposal is not likely to negatively impact plants, animals, fish or marine life. The affected geographic area is located within the public works service area of the City of Pacific; however, connection to City of Pacific water and sewer would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline. Given these environmental constraints and challenges that the White River poses and potential construction impacts to critical areas and shoreline, it is less impactful for the City of Sumner to provide sanitary sewer, water, and stormwater services to the affected geographic area.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**The proposal is to change the water and sewer service area boundaries; no actual construction is a part of the proposal so there will not be an impact to plants, animals, fish or marine life. Changing the service area from Pacific to Sumner will ultimately result in reduced environmental impacts because future utility extension would come directly from the adjacent/southern property and not require extension over or under the White River.**

**Additionally, the proposal will not alter how Pacific Municipal Code Title 20.70 Landscaping, Title 21 Shoreline Management, and Title 23 Stormwater are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.**

3. How would the proposal be likely to deplete energy or natural resources?

**The proposal to change the water and sewer districts is a non-project action and would not deplete energy or natural resources. This non-project action does not constitute new development and therefore does not include mechanical systems, lighting, plumbing fixtures and/or other systems which consume energy.**

Proposed measures to protect or conserve energy and natural resources are:

**The proposal does not include new construction and does not impact energy and natural resources; accordingly no measures are proposed. Future development proposals will be required to follow Pacific Municipal Code Title 17 (the adopted building code) in order to aid in the conservation of energy and resources and will undergo separate SEPA review.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**The proposal is not likely to negatively affect environmentally sensitive areas or areas designated for governmental protection. The property is not designated as “prime farmland”. There are no parks, wilderness, wetlands, floodplains, or historic or cultural sites on the affected geographic area.**

**The proposal allows for future connection to sanitary sewer, water, and stormwater services for the affected geographic area to be provided by the City of Sumner and would therefore not require extending utility lines over or under the White River. The proposal therefor minimizes impacts to the White River, and any associated sensitive areas or wildlife.**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**None needed. The City of Pacific Critical Areas Ordinance will apply to any future development of the Property, regardless of the proposed change in the sewer and water service boundary. As a result of the proposed boundary changes, connections associated with future development will be provided by the City of Sumner, eliminating the need to extend utilities over or under the White River, and reducing overall impacts to the White River. As previously noted, any possible impacts of future development will be separately evaluated under SEPA.**

**Additionally, the proposal will not alter how Pacific Municipal Code Title 20.70 Landscaping, Title 21 Shoreline Management, and Title 23 Stormwater are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**The proposal to change the water and sewer service boundaries will make development of the subject property feasible while avoiding to construct connection infrastructure across the White River, and will allow for the ultimate development of the property that is consistent and compatible with the City of Sumner and Pacific's adopted MIC Subarea Plan (2018), which envisions the subject property and adjacent property to the south, to be developed with light industrial uses.**

**The property is within approximately 100 feet of the White River and is located in the Shoreline Commercial environment for the City of Pacific. There will be no impact to the enjoyment or use of the White River as a result of the service area boundary change. Future development of the affected geographic area will need to obtain a shoreline substantial development permit from the City of Pacific and adhere to applicable City of Pacific shoreline regulations and any permit conditions.**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**The proposal reduces shoreline and land use impacts by avoiding the crossing of the White River and its riparian corridor for utility extension, as would be required for service by the City of Pacific. Instead, sewer and water service will be extended from the adjacent developed property to the south that is located in the City of Sumner, which will have no shoreline or land use impacts.**

**The proposal would not alter how Pacific Municipal Code Title 20 (development standards), Title 23 (Critical Areas Regulations), Title 21 (Shoreline Master Program), and Title 16 (SEPA Environmental Review) are applied. This includes bulk regulations (setbacks, height, lot coverage, and density), as well as landscaping and parking lot screening to aid in diminishing impacts on adjacent properties.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**The proposal will increase demand for water, sewer and stormwater service for the City of Sumner as the City of Sumner will provide sanitary sewer, water, and stormwater services to the affected geographic area.**

**The Cities of Pacific and Sumner have entered an Interlocal Agreement, dated November 8, 2021, in which both cities agreed that the City of Sumner would be best able to provide sanitary sewer, water, and stormwater services to the affected geographic area.**



**The change in water and sewer service boundaries does not generate traffic or increase demand on transportation systems. Future development will route traffic to Stewart Road and the trip generation and impacts will be separately evaluated concurrent with a development proposal at that time.**

Proposed measures to reduce or respond to such demand(s) are:

**The City of Sumner expressed their support and cooperation to modify the water and sewer boundaries and has determined it is capable to take on the additional demands for sanitary sewer, water, and stormwater that the de-annexation from the City of Pacific and the annexation to the City of Sumner of the affected geographic area would require.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**The proposal does not conflict with any local, state, or federal laws or requirements for the protection of the environment.**

**Future project actions will be subject to SEPA environmental review and code requirements in place at the time of the application.**

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## ***A. Background***

1. Name of proposed project, if applicable:

### **Green Valley Farms Sewer District Boundary Change**

2. Name of applicant:

**SeaPort-Land, L.L.C.**

3. Address and phone number of applicant and contact person:

**Applicant**

**SeaPort-Land, L.L.C.**

**c/o Tarragon, L.L.C.**

**601 Union Street Suite 3500**

**Seattle, WA 98101-1370**

**Phone: (206) 233-9600**

**Contact**

**Lisa Klein, AICP**

**AHBL, Inc.**

**2215 North 30<sup>th</sup> Street, Suite 200**

**Tacoma, WA 98403**

**Phone: (253) 383-2422**

4. Date checklist prepared:

**Nov. 22, 2022**

5. Agency requesting checklist:

**City of Pacific**

6. Proposed timing or schedule (including phasing, if applicable):

**The proposed service area boundary change is anticipated to be finalized by late 2022.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**Yes. The affected geographic area will be developed in 2023-2025. A separate permitting and environmental review process will occur for that proposal. The land use process for that proposal has been initiated with the City of Pacific.**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

**Has Been Prepared:**

- **Geotechnical Engineering Study prepared by Earth Solutions NW, LLC (ESNW)**
- **Critical Areas Reconnaissance Memo prepared by Anchor QEA dated November 2021**
- **SEPA Determination of Nonsignificance (DNS) for Comprehensive Plan Amendment and Rezone, issued May 28, 2021**
- **Interlocal Agreement signed by Cities of Sumner and Pacific dated November 8, 2021**
- **Topography and Boundary Survey prepared by AHBL dated May 2022**
- **City of Sumner Non-Project SEPA MDNS dated Nov. 2, 2022**

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

**A Shoreline Substantial Development Permit, SEPA and Rezone Application was submitted to the City of Pacific in June 2022 for the development of the property.**

**The water and sewer service boundary change requires concurrent review/approval processes with the King County and Pierce County Boundary Review Boards and the cities of Sumner and Pacific.**

10. List any government approvals or permits that will be needed for your proposal, if known.

**City of Pacific**

- **Certification of petition**
- **Council approval of service area boundary change**

**City of Sumner**

- **Certification of petition**
- **SEPA Environmental Review for Non-project action**
- **Council approval of service area boundary change**

**King County Boundary Review Board**

- **Review and Approval of the service area boundary changes**

**Pierce County Boundary Review Board**

- **Review and Approval of the service area boundary changes**

**King and Pierce County Utilities Technical Review Committee, WA State Dept of Health**

- **Approval of City of Pacific and City of Sumner Water System Plan Amendments**

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.)

**The proposal is to change the water and sewer service area boundaries of 20.51 acres of vacant land located in the City of Pacific and adjacent to the City of Sumner. The service area boundary change requires removal of the affected geographic area for sewer services from the City of Pacific and inclusion of the affected geographic area for both water and sewer services to the City of Sumner. After approval, the City of Sumner will provide sanitary sewer, water, and stormwater services to the affected geographic area. The property will remain within the City of Pacific's jurisdiction.**

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.

**The location of this proposal is in the City of Pacific on tax parcel numbers 362104-9077 and 362104-9016 ("Property"). The site address is 5635 and 5621 A Street SE, Pacific, WA.**

**Legal description parcel 362104-9077: POR OF SE 1/4 OF SE 1/4 OF STR 36-21-04 LY WLY OF BN RR R/W LESS E 16.5 FT & LESS N 130 FT & E 130 FT THOF & LESS POR LY WLY OF LN DAF- BAAP ON S LN OF SD SE 1/4 OF SD SEC LY 1226.67 FT WLY OF SE COR OF SD SUBD TH N 12-13-01 E 182.67 FT TH N 50-30-44 E 309.02 FT TH N 12-30 E 245.98 FT TH N 35-53-04 E 139.40 FT TH N 45-22-30 E 274.60 FT TH N 53-25-09 E 212.19 FT TH N 00-47-56 W 255 FT M/L TO N LN OF S 1/2 OF SE 1/4 OF SD SEC & TERMINUS OF SD DESC LN - PER SCC 14-2-23003-6KNT (REC# 20150416000492)**

**Legal description parcel 362104-9016: POR OF WLY 130 FT OF ELY 146.5 FT IN WIDTH OF THAT POR OF SE 1/4 OF SE 1/4 OF STR 36-21-04 LY WLY OF BN RR R/W TGW NLY 130 FT OF REMAINDER OF SD SE 1/4 OF SE 1/4 LY WLY OF SD ELY 146.5 FT LESS POR THOF LY WLY OF LN DAF - BAAP ON S LN OF SD SE 1/4 OF SD SEC LY 1226.67 FT WLY OF SE COR OF SD SUBD TH N 12-13-01 E 182.67 FT TH N 50-30-44 E 309.02 FT TH N 12-30 E 245.98 FT TH N 35-53-04 E 139.40 FT TH N 45-22-30 E 274.60 FT TH N 53-25-09 E 212.19 FT TH N 00-47-56 W 255 FT M/L TO N LN OF S 1/2 OF SE 1/4 OF SD SEC & TERMINUS OF SD DESC LN - PER SCC 14-2-23003-6KNT (REC# 20150416000492) LESS WLY 3.5 FT OF ELY 20 FT OF THAT POR SE 1/4 OF SE 36-21-4 LYING WLY OF BNSF R/W**



Figure 1 - Vicinity Map

## B. Environmental Elements

### 1. Earth



a. General description of the site:

(circle one): Flat rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_

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

**According to the Geotechnical Engineering Study prepared by Earth Solutions NW, LLC (ESNW) topography of the affected geography area is relatively flat. The embankment to the north and west is roughly ten feet higher than the subject site, while the railway embankment is roughly 12 feet higher than the subject site.**

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

**ESNW indicated in the findings of the geotechnical report that underlying the topsoil at the test locations, native soils consisting of medium dense to dense silty sand, sandy silt, and poorly graded sands (SM ML, and SP, respectively) were encountered. In general, the poorly graded sands were observed to be underlying the finer grained soils observed in the upper 7 to 11 feet.**

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

**ESNW indicated in the findings of the geotechnical report that the subject parcel meets the PMC definition of a seismic hazard area. Adjacent to the affected geographic area, a mapped erosion hazard is present along the King County maintenance road that borders the property to the west. ESNW stated that future development will not adversely impact the mapped erosion hazard. SEPA review for future development will be conducted with required development applications.**

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

**There will be no grading or filling of the property as a result of the water and sewer system boundary changes.**

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

**There will be no exposure of soils or construction activity as a result of the water and sewer system boundary changes.**

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



**Construction is not a part of this proposal for water and sewer service boundary change. When developed in the future, less than 85 percent of the affected geographic area will be covered with impervious surfaces after project construction. Applications for future development will be separately reviewed under SEPA.**

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

**There will be no exposure of soils or construction activity resulting from the water and sewer system boundary changes.**

## **2. Air**

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

**No emissions to the air will be generated by this non-project action. Future development of the affected geographic area will undergo a separate permitting and environmental review process to determine what types of emissions to the air may occur during construction.**

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

**There are no known off-site emissions or odor that would affect the proposal.**

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

**The proposal is a non-project action that will not result in emissions, odors, or other air quality impacts; therefore, no mitigation measures are proposed. Future development of the affected geographic area will be subject to environmental review as required under Chapter 16.70 Environmental Review – State Environmental Policy Act (SEPA). All projects will be evaluated for potential air impacts in accordance with applicable policies, rules, and regulations adopted by the City of Pacific. Any impact will be appropriately mitigated in accordance with federal, state, and local air quality requirements.**

## **3. Water**

a. Surface Water:

- 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.

**The White River (a Type S stream, designated as a shoreline of statewide significance) is located approximately 100 feet to the west of the affected geographic area. According to the Wetland Reconnaissance Memo prepared by Anchor QEA, no wetlands are present directly on the affected geographic area. Two offsite wetlands associated with the White River have buffers that extend slightly onto the subject property.**

- 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.

**This is a non-project action; therefore, no development will occur over, in, or adjacent to any surface water body as part of the proposal. Impacts on surface water resources and wetlands from future development of the site will be subject to review consistent with the Pacific Municipal Code, including SEPA review.**

**Connection to City of Pacific for water and sewer service would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline. Given these environmental constraints and challenges that the White River poses and potential construction impacts to critical areas and shoreline, it is less impactful for the City of Sumner to provide sanitary sewer, water, and stormwater services to the affected geographic area.**

- 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.

**There will be no filling or dredging of surface waters or wetlands as result of this proposal.**

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

**There will be no surface water withdrawals or diversions that will occur as a result of this proposal.**

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

**The affected geographic area is not within identified flood plains, as shown on FEMA Firm Panel 53033C1263G, effective 8/19/2020.**

- 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.

**This is a non-project action; therefore, no discharges of waste materials to surface waters will occur as a result of this proposal.**

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

**No groundwater will be withdrawn from a well for drinking water or other purposes.**

- 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.

**No waste materials will enter ground or surface waters as a result of this proposal.**

c. Water runoff (including stormwater):

- 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.

**The main source of runoff is seasonal rainfall events. There will be no change to how surface water infiltrates or flows from the site as a result of this non-project action.**

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

**No waste materials will enter ground or surface waters as a result of this proposal.**

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

**This is a non-project action; therefore, drainage patterns in the vicinity of the proposal will not be altered.**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**No measures are proposed or required for this non-project action.**

#### **4. *Plants***

a. Check the 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
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

**This is a non-project action; therefore, it will not result in the removal or alteration of any vegetation.**

c. List threatened and 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:

**The proposal is a non-project action; therefore, it does not directly involve landscaping or vegetation enhancement. Future development of the affected geographic area will be subject to review as required by the Pacific Municipal Code and SEPA rules. Additionally, future development of the affected geographic area will be subject to the City of Pacific landscaping code (Chapter 20.70 PMC).**

e. List all noxious weeds and invasive species known to be on or near the site.

**None known.**

## **5. Animals**

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other: **small birds and waterfowl**
- mammals: deer, bear, elk, beaver, other: **small mammals**
- fish: bass, salmon, trout, herring, shellfish, other: **Fall Chinook; Winter Steelhead; Resident Coastal Cutthroat; Coho Salmon; Fall Chum; Spring Chinook; Sockeye Salmon; Chinook Salmon; Bull Trout; Pink Salmon**

- b. List any threatened and endangered species known to be on or near the site.

**According to the Washington State Department of Fish and Wildlife (WDFW) priority habitat species mapping services, Fall Chinook; Residential Coastal Cutthroat; Fall Chum; Sockeye Salmon; and Pink Salmon are all listed as occurrences in the White River near the proposal. The Chinook Salmon, Bull Trout, and Winter Steelhead are listed as “threatened” at the federal level and Coho is listed as a “candidate” for federal endangered status.**

- c. Is the site part of a migration route? If so, explain.

**The Puget Sound region is part of the Pacific flyway, a bird migration route.**

- d. Proposed measures to preserve or enhance wildlife, if any:

**This is a non-project action; therefore, no mitigation to preserve or enhance wildlife is proposed. Future project actions will be subject to environmental review as required by Pacific Municipal Code 16.70 (SEPA) and will be evaluated by the City of Pacific to prevent and mitigate impacts to wildlife.**

**For future proposed development of the Property, connection to City of Sumer for water and sewer service will be far less impactful to wildlife than connection to City of Pacific. The reason is that extension of water and sewer service provided by Pacific would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline; whereas extension from Sumner would come from the adjacent developed property to the south.**

- d. List any invasive animal species known to be on or near the site.

**None known.**

## **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.

**This is a non-project action; therefore, no energy is required.**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**This is a non-project action; therefore, it will not affect the potential use of solar energy by adjacent properties.**

- 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:

**This is a non-project action; therefore, there are no associated energy impacts, and no mitigation measures are proposed.**

## **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.

**No, there are no environmental health hazards that could occur as a result of this non-project action.**

- 1) Describe any known or possible contamination at the site from present or past uses.

**The Washington Department of Ecology “What’s In My Neighborhood?” database identified two sites within 0.5 miles of the proposal:**

- **Pacific City Park, cleanup has started for soil and groundwater contamination due to releases from the former landfill and dumping ground. Facility ID 2160. The site is located west, across the White River, from the project.**
- **White River Countyline Levee Setback Project is located south of the project and is awaiting cleanup for the soil for metals and groundwater and sediment for Non-Halogenated Organics. Facility ID 21515.**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

**The National Pipeline Public Mapping System does not identify a hazardous chemical pipeline near the proposal. There are no known other hazardous chemicals/conditions.**

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

**This is a non-project action; therefore, it does not involve the storage or use of toxic or hazardous chemicals.**

- 4) Describe special emergency services that might be required.

**This is a non-project action; therefore, it does not require any additional special emergency services other than those normally provided for vacant land, such as police, emergency medical, and fire protection**

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

**This is a non-project action that is not likely to cause environmental health hazards; therefore, no measures are proposed to reduce or control environmental health hazards.**

*b. Noise*

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

**The primary source of noise in the area of the proposal comes from traffic along E Valley Highway and the Railroad. Noise generated by vehicular and train traffic will not impact the proposal.**

- 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 the site.

**This is a non-project action; therefore, no noise will be created by or associated with the proposal.**

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

**This is a non-project action; therefore, noise levels are not expected to increase under the proposal and no mitigation is proposed. Potential noise impacts associated with future development of the site will be subject to review as required by the Pacific Municipal Code including SEPA review.**

## **8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

**The affected geographical area is currently used for agriculture/farming and contains no structures. The adjacent uses include the following:**

**West: River/open space**

**South: Industrial**

**East: Industrial, residential**

**North: Open space, commercial, school, residential**

**The proposal is for a non-project action and will not affect adjacent properties.**

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

**The affected 20-acre property is currently actively used as agricultural land. This proposal is a non-project action and is one step in a series of processes required to convert the property to nonfarm use.**

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:



**This is a non-project action; therefore, it will not impact or be impacted by surrounding agricultural or forest land operations.**

c. Describe any structures on the site.

**There are no existing structures on the affected geographic area.**

e. Will any structures be demolished? If so, what?

**Not applicable; there are no existing structures on the affected geographic area.**

f. What is the current zoning classification of the site?

**Existing zoning is Residential Open Space (RO). A separate rezone application has been submitted to the City of Pacific to rezone the site to Light Industrial (LI) with MIC Overlay.**

g. What is the current comprehensive plan designation of the site?

**The comprehensive plan designation was recently conditionally approved as Light Industrial.**

h. If applicable, what is the current shoreline master program designation of the site?

**Portions of the affected geographic area along the north and west property line have a shoreline designation of Shoreline Commercial.**

i. Has any part of the site been classified as a critical area by the city or county? If so, specify.

**The western boundary of the affected geographic area is classified by City of Pacific mapping as a steep slope/erosion hazard. The City's map also indicates a wetland, but a wetland reconnaissance completed by Anchor QEA concluded no wetlands are present on the site.**

i. Approximately how many people would reside or work in the completed project?

**No people would reside or work on the property as a result of the non-project action.**

j. Approximately how many people would the completed project displace?

**The property is vacant land. This is a non-project action; therefore, it will not displace any housing.**

k. Proposed measures to avoid or reduce displacement impacts, if any:

**This is non-project action and is not likely to displace any housing; therefore, no mitigation measures are proposed.**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**The water and sewer service boundary changes would allow for extension of existing water and sewer service located in the adjacent City of Sumner project known as SeaPort Logistics Center. The water and sewer facilities within that development have been sized to accommodate the future service extension to the subject property and the City of Sumner will be reviewing the construction drawings for conformance to their standards. The adjacent**

properties to the west and north are King County-owned land designated as open space and will not be affected by the proposal. The east boundary is adjacent to Burlington Northern and East Valley Highway right of way and will also not be affected by the proposal.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

**This is a non-project action and is not likely to cause impacts to agricultural and forest lands of long-term commercial significance; therefore, no mitigation measures are proposed.**

## **9. Housing**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

**This is a non-project action and will not create any housing units.**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

**This is a non-project action and will not eliminate any housing units.**

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

**This is non-project action that will not cause impacts to housing; therefore, no mitigation measures are proposed.**

## **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?

**This is a non-project action; therefore, no structures will be constructed. Future development of the affected geographic area will be subject to review as required by Pacific Municipal Code.**

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

**This is a non-project action; therefore, no views in the vicinity will be altered or obstructed.**

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

**This is non-project action and there will be no change to aesthetics; therefore, no mitigation measures are proposed.**

## **11. Light and Glare**

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

**No development activity will occur in conjunction with this non-project action; therefore, no new sources of light or glare will be produced. Potential light and glare impacts associated with future development of the affected geographic area will be subject to review as required by Pacific Municipal Code and a separate project-related SEPA environmental review.**

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

**No development activity will occur in conjunction with this non-project action; therefore, the proposal would not produce a safety hazard or interfere with views as a result of light or glare. Potential light and glare impacts associated with future development of the affected geographic area will be subject to review as required by Pacific Municipal Code and a separate project-related SEPA environmental review.**

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

**The change in water and sewer service boundaries would not be affected by off-site sources of light or glare.**

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

**This is non-project action that will not cause light and/or glare impacts; therefore, no mitigation measures are proposed.**

## ***12. Recreation***

a. What designated and informal recreational opportunities are in the immediate vicinity?

**Pacific City Park is located approximately 1,453 feet west of the proposal; Roegner Park is located approximately 2,000 feet north of the proposal; and Mill Pond Park is located approximately 3,300 feet northeast of the site. Lake Tapps and its associated public parks are located approximately 2.2 miles southeast from the site. The King County levee is used informally by the public for a walking path.**

b. Would the proposed project displace any existing recreational uses? If so, describe.

**No, this is a non-project action that will not displace existing recreational uses.**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**This is non-project action that will not cause impacts to recreation; therefore, no mitigation measures are proposed.**

## ***13. Historic and cultural preservation***

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

**There are no structures on the affected geographic area. The Washington State Department of Archeology and Historic Preservation (DAHP) Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database did not identify any buildings, structures, or sites eligible for preservation registers on or near the subject property.**

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

**The DAHP WISAARD did not identify evidence of Indian or historic landmarks, features, or occupation on or within the vicinity of the affected geographic area.**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

**The proposal utilized the Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database to assess potential impacts to cultural and historic resources on and near the affected geographic area.**

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**This is non-project action and is not expected cause impacts to landmarks or other historic or cultural resources; therefore, no mitigation measures are proposed.**

#### **14. Transportation**

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

**The property currently obtains access through a narrow unimproved access that extends from East Valley Hwy under the BNRR tracks.**

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

**A review of the Pierce Transit and King County Metro bus schedules indicates that DART Route 917 – Auburn, Algona, Pacific is near the vicinity of the affected geographic area. The closest stop in relation to the affected geographic area is located at the intersection of 3rd Avenue SE & Butte Avenue approximately 1.30-miles walking distance northwest.**

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**This is non-project action and will not create or eliminate parking spaces.**

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

**This is non-project action and will not require any new road or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities.**

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

**The affected geographic area is not in the immediate vicinity of water or air transportation. The affected geographic area is immediately adjacent to the Burlington Northern Railroad (BNRR) tracks which border the site on the east.**

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

**The completion of the proposed water and sewer service boundary changes will not generate vehicular trips. Future development of the proposal will undergo a separate environmental review process that will provide detailed data and analysis of proposed vehicular and truck trip generation.**

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

**This is non-project action and will interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area.**

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

**This is non-project action and is not expected to cause impacts to transportation; therefore, no mitigation measures are proposed.**

## **15. Public Services**

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

**This is a non-project action and will not result in an increased need for public transit, health care, fire protection, police protection, or schools. The applicant will be coordinating with the fire district to address requirements for the proposed water service boundary change.**

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

**This is non-project action and is not likely to cause impacts to public services; therefore, no mitigation measures are proposed. Any requirements of the fire district relating to the water service boundary changes will be coordinated and addressed.**

**16. Utilities**

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_


**The property is vacant farm land. Water and sewer service, as well as other utilities, is available in the adjacent, City of Sumner property known as SeaPort Logistics Center.**

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.

**This is a non-project action that does not propose new utilities, rather it changes the water and sewer district boundaries for the affected geographic area. It will change them from the current City of Pacific service area to City of Sumner service area (however the property will remain within the City of Pacific jurisdiction).**

**C. Signature**

The above answers 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: 

Name of signee: Lisa Klein, AICP

Position and Agency/Organization: Associate Principal, AHBL

Date Submitted: Nov. 22, 2022

## ***D. Supplemental sheet for nonproject actions***

**(IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**The water and sewer district boundary change is a non-project action that proposes no construction and would not have any impact on air emissions or the production, storage, or release of toxic or hazardous substances. The non-project action is also not likely to cause an increase to discharges to water or in noise production.**

Proposed measures to avoid or reduce such increases are:

**As this non-project action is not likely to cause increases to discharges to water, emissions to air, production of noise, or production, storage, or release of toxic or hazardous substances, no mitigation measures are proposed.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**The proposal is not likely to negatively impact plants, animals, fish or marine life. The affected geographic area is located within the public works service area of the City of Pacific; however, connection to City of Pacific water and sewer would require an extension of utilities over or under the White River, including critical areas, the setback levee, and shoreline. Given these environmental constraints and challenges that the White River poses and potential construction impacts to critical areas and shoreline, it is less impactful for the City of Sumner to provide sanitary sewer, water, and stormwater services to the affected geographic area.**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**The proposal is to change the water and sewer service area boundaries; no actual construction is a part of the proposal so there will not be an impact to plants, animals, fish or marine life. Changing the service area from Pacific to Sumner will ultimately result in reduced environmental impacts because future utility extension would come directly from the adjacent/southern property and not require extension over or under the White River.**



**Additionally, the proposal will not alter how Pacific Municipal Code Title 20.70 Landscaping, Title 21 Shoreline Management, and Title 23 Stormwater are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.**

3. How would the proposal be likely to deplete energy or natural resources?

**The proposal to change the water and sewer districts is a non-project action and would not deplete energy or natural resources. This non-project action does not constitute new development and therefore does not include mechanical systems, lighting, plumbing fixtures and/or other systems which consume energy.**

Proposed measures to protect or conserve energy and natural resources are:

**The proposal does not include new construction and does not impact energy and natural resources; accordingly no measures are proposed. Future development proposals will be required to follow Pacific Municipal Code Title 17 (the adopted building code) in order to aid in the conservation of energy and resources and will undergo separate SEPA review.**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**The proposal is not likely to negatively affect environmentally sensitive areas or areas designated for governmental protection. The property is not designated as “prime farmland”. There are no parks, wilderness, wetlands, floodplains, or historic or cultural sites on the affected geographic area.**

**The proposal allows for future connection to sanitary sewer, water, and stormwater services for the affected geographic area to be provided by the City of Sumner and would therefore not require extending utility lines over or under the White River. The proposal therefor minimizes impacts to the White River, and any associated sensitive areas or wildlife.**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**None needed. The City of Pacific Critical Areas Ordinance will apply to any future development of the Property, regardless of the proposed change in the sewer and water service boundary. As a result of the proposed boundary changes, connections associated with future development will be provided by the City of Sumner, eliminating the need to extend utilities over or under the White River, and reducing overall impacts to the White River. As previously noted, any possible impacts of future development will be separately evaluated under SEPA.**

**Additionally, the proposal will not alter how Pacific Municipal Code Title 20.70 Landscaping, Title 21 Shoreline Management, and Title 23 Stormwater are applied to sites in order to protect or conserve plants, animals, floodplains, and critical areas.**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**The proposal to change the water and sewer service boundaries will make development of the subject property feasible while avoiding to construct connection infrastructure across the White River, and will allow for the ultimate development of the property that is consistent and compatible with the City of Sumner and Pacific's adopted MIC Subarea Plan (2018), which envisions the subject property and adjacent property to the south, to be developed with light industrial uses.**

**The property is within approximately 100 feet of the White River and is located in the Shoreline Commercial environment for the City of Pacific. There will be no impact to the enjoyment or use of the White River as a result of the service area boundary change. Future development of the affected geographic area will need to obtain a shoreline substantial development permit from the City of Pacific and adhere to applicable City of Pacific shoreline regulations and any permit conditions.**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**The proposal reduces shoreline and land use impacts by avoiding the crossing of the White River and its riparian corridor for utility extension, as would be required for service by the City of Pacific. Instead, sewer and water service will be extended from the adjacent developed property to the south that is located in the City of Sumner, which will have no shoreline or land use impacts.**

**The proposal would not alter how Pacific Municipal Code Title 20 (development standards), Title 23 (Critical Areas Regulations), Title 21 (Shoreline Master Program), and Title 16 (SEPA Environmental Review) are applied. This includes bulk regulations (setbacks, height, lot coverage, and density), as well as landscaping and parking lot screening to aid in diminishing impacts on adjacent properties.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**The proposal will increase demand for water, sewer and stormwater service for the City of Sumner as the City of Sumner will provide sanitary sewer, water, and stormwater services to the affected geographic area.**

**The Cities of Pacific and Sumner have entered an Interlocal Agreement, dated November 8, 2021, in which both cities agreed that the City of Sumner would be best able to provide sanitary sewer, water, and stormwater services to the affected geographic area.**

**The change in water and sewer service boundaries does not generate traffic or increase demand on transportation systems. Future development will route traffic to Stewart Road and the trip generation and impacts will be separately evaluated concurrent with a development proposal at that time.**

Proposed measures to reduce or respond to such demand(s) are:

**The City of Sumner expressed their support and cooperation to modify the water and sewer boundaries and has determined it is capable to take on the additional demands for sanitary sewer, water, and stormwater that the de-annexation from the City of Pacific and the annexation to the City of Sumner of the affected geographic area would require.**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**The proposal does not conflict with any local, state, or federal laws or requirements for the protection of the environment.**

**Future project actions will be subject to SEPA environmental review and code requirements in place at the time of the application.**



CITY OF  
**SUMNER**  
WASHINGTON

1104 MAPLE STREET, SUMNER WA 98390

**COMMUNITY DEVELOPMENT DEPARTMENT**

253-299-5520

## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

**Project Name:** Green Valley Farms Water and Sewer District Boundary Change

**Permit Application No:** SEPA-2022-0009

**Location:** 5635 and 5621 A Street SE Pacific, WA 98047

**Parcels:** 3621049077 and 3621049016

**Description of Proposal:** Proposal to change water and sewer services area boundaries of 20.51 acres of vacant land within the City of Pacific and adjacent to the City of Sumner. The service area boundary change requires de-annexation of the affected geographic area for water and sewer services from the City of Pacific and annexation of the affected geographic area for water and sewer services to the City of Sumner. If approved, the City of Sumner would provide sanitary sewer, water and stormwater services to the affected geographic area. The property will remain within the City of Pacific.

**Applicant:** Seaport – Land LLC, c/o Tarragon LLC. 601 Union Street Suite 3500, Seattle, WA 98101. (206) 233-9600

Contact – Lisa Klien, AHBL, 2215 North 30th Street, Suite 200, Tacoma, WA, 98403. (253) 383-2422.

**Lead Agency:** City of Sumner

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. **Documents are available on the City of Sumner website at [www.sumnerwa.gov](http://www.sumnerwa.gov).**

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

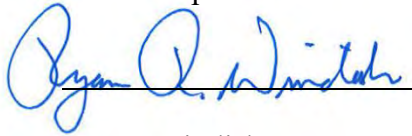
This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the issue date below.

**Responsible Official:** Ryan Windish

**Position/Title:** Community Development Director

**Address:** 1104 Maple Street Suite 250, Sumner, WA 98390 **Phone:** (253) 299- 5524

**Signature**



Ryan Windish

**Determination Date:** November 2, 2022

**Date Issued:** November 10, 2022

**Questions or comments:** Scott Waller, Associate Planner: [scottw@sumnerwa.gov](mailto:scottw@sumnerwa.gov)

### SEPA MITIGATION MEASURES

1. The Project shall comply with approved agreements and abide by all local, State and Federal regulations and receive necessary approvals prior to commencement of work.



# CITY OF PACIFIC SEPA NOTICE



## DETERMINATION OF NONSIGNIFICANCE FILE SEP-22-011 SEWER PLAN MAP AMENDMENT

**DATE OF NOTICE:** DECEMBER 9, 2022

**DESCRIPTION OF PROPOSAL:** Amendment of the 2011 City of Pacific Sewer Plan to modify the boundaries of the existing Sewer Service Area. The amendment will remove parcels 3621049077 and 3621049016 from the City of Pacific Sewer Service Area. A prior Determination of Nonsignificance was issued for this non-project action on December 20, 2010.

**APPLICANT:** Lisa Klein, AICP  
AHBL, Inc.  
2215 N 30<sup>th</sup> Street  
Tacoma, WA 98403

**STAFF CONTACT:** Chris Farnsworth, Associate Planner  
100 Third Avenue SE  
Pacific, WA 98047  
(253) 929-1111  
[cfarnsworth@ci.pacific.wa.us](mailto:cfarnsworth@ci.pacific.wa.us)

**LOCATION:** City of Pacific Sewer Service Area – See Figure 2-6 Map in provided files.

**LEAD AGENCY:** City of Pacific

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 and linked below.

**View Files:** <https://www.dropbox.com/sh/ddzdy6953m40xju/AAC1NcScYWNfd-glQPauzrxga?dl=0>

Hardcopies to view at City Hall are available to the public on request.

### COMMENT PERIOD

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance. Comments must be submitted by **5:00 P.M. on December 23, 2022.**

### APPEAL PERIOD

Any person wishing to appeal this determination may file such an appeal within **twenty-one (21)** days from the issued date of this threshold determination to the Pacific City Clerk. All appeals of the above determination must be filed by **5:00 P.M. December 30, 2022.** There is a \$1000.00 fee to appeal this determination.

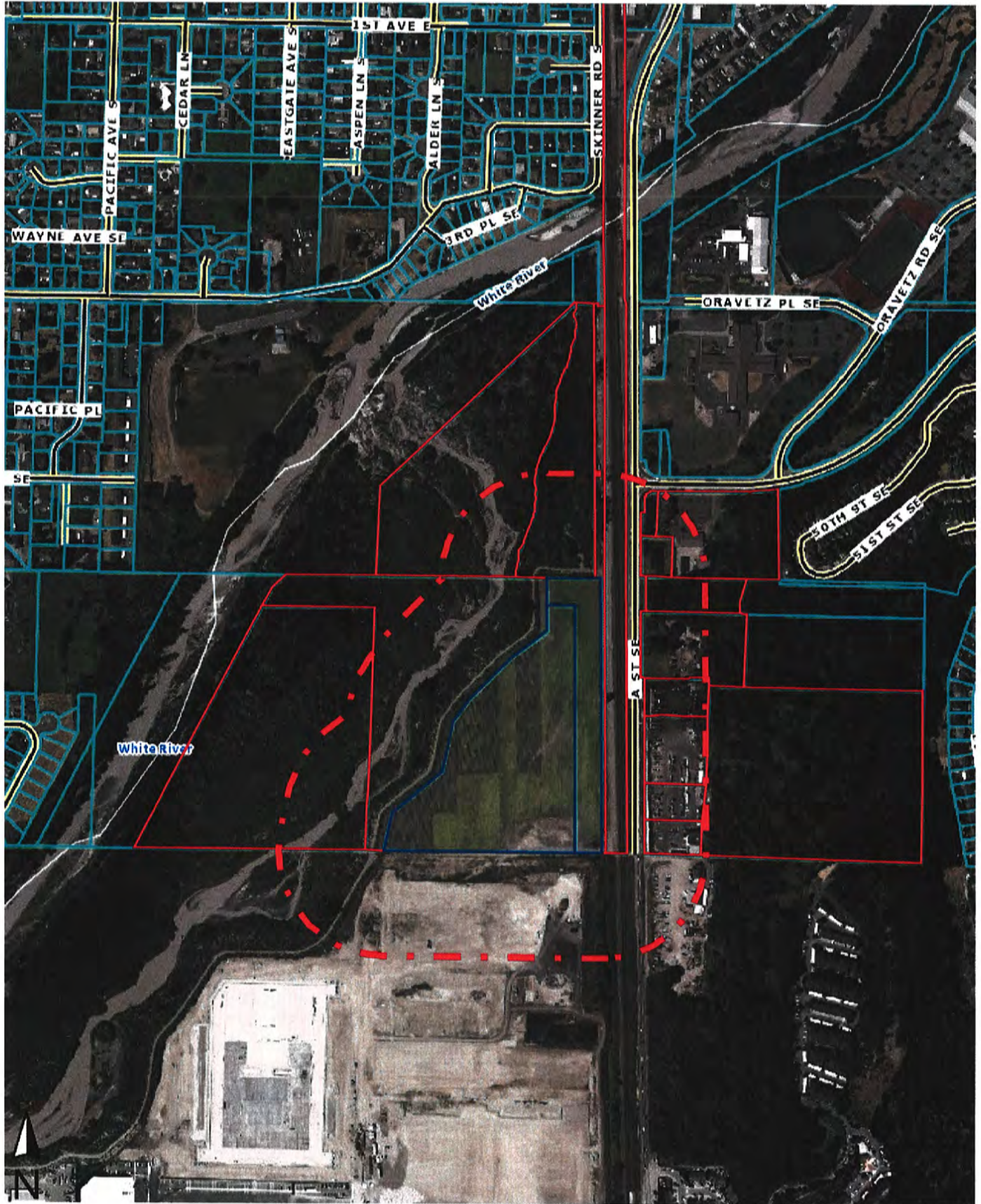
**RESPONSIBLE OFFICIAL:** Mark Newman, AICP - Community Development Manager  
100 3<sup>rd</sup> Ave. SE  
Pacific, Washington 98047

**Exhibit D1 - City of Sumner SEPA Agency Contact List**

| <b>Email Address</b>              | <b>First Name</b>             | <b>Last Name</b>   | <b>Email Lists</b>   |
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| anne.fritzel@commerce.wa.gov      | Anne Fritzel                  |  | SEPA   |
| char.naylor@puyalluptribe.com     | Puyallup                      | Tribe Char Naylor  | Public Notices,SEPA  |
| dbun461@ecy.wa.gov                | Donna                         | Bunten   | Public Notices,SEPA  |
| reviewteam@commerce.wa.gov        | Washington                    | State Dept. of Commerce  | Public Notices,SEPA  |
| bhan@piercetransit.org            | Land                          | Use Review   | Public Notices,SEPA  |
| laura.murphy@muckleshoot.nsn.us   | Muckleshoot                   | Tribe Laura Murphy   | Public Notices,SEPA  |
| or-sepa-review@wsdot.wa.gov       | Washington                    | State Dept. of Transportation  | Public Notices,SEPA  |
| russ.ladley@puyalluptribe.com     | Puyallup                      | Tribe Russ Ladely, Fisheries   | Public Notices,SEPA  |
| sgaffne@co.pierce.wa.us           | Pierce                        | County Planning and Land Services Sean Gaffney, Planning Manager         | Public Notices,SEPA  |
| steve_sjolund@sumnersd.org        | Sumner                        | School District Steve Sjolund, Capital Projects Director                 | Public Notices,Mailchimp Merge,SEPA,E-correspondence,Community Connections |
| tvaslet@piercetransit.org         | Pierce                        | Transit Tina Vaslet  | Public Notices,SEPA  |
| planning@puyallupwa.gov           | City of Puyallup              |  | SEPA   |
| AnnSi@sumnerwa.gov                | Ann                           | Siegenthaler   | Public Notices,Mailchimp Merge,SEPA,E-correspondence,Community Connections |
| jeff.payne@pse.com                | Jeff                          | Payne  | SEPA   |
| andy.markos@pse.com               | Andy                          | Markos   | SEPA   |
| comdev@cityofedgewood.org         |                               |  | SEPA   |
| separeview@puyalluptribe-nsn.gov  | SEPA Review Team              |  | SEPA   |
| apgalley@up.com                   | Aaron                         | Galley   | SEPA   |
| glen.gaz@bnsf.com                 | Glen                          | Gaz  | SEPA   |
| mgagliardo@cascadewater.org       | Cascade                       | Water Alliance Michael Gagliardo, Director of Planning                   | SEPA   |
| ksnyder@auburnwa.gov              | City                          | of Auburn Kevin Snyder, Public Works and Planning Director               | SEPA   |
| sullivanj@ci.bonney-lake.wa.us    | Building                      | Supervisor   | SEPA   |
| sfriddle@cityoffife.org           | City                          | of Fife Steve Friddle, Planning Director                                 | SEPA   |
| mbethune@cityoforting.org         | City                          | of Orting Mark Bethue, City Administrator                                | SEPA   |
| jdodge@ci.pacific.wa.us           | City                          | of Pacific Jack Dodge, Community Development Manager                     | SEPA   |
| chief@eastpiercefir.org           | Bud                           | Backer, Chief  | SEPA   |
| karen.wood-mcguiness@fema.dhs.gov | Region X Karen Wood-McGuiness | FEMA   | SEPA   |
| jennifer.quan@noaa.gov            | Jennifer                      | Quan, Central Puget Sound Branch   | SEPA   |
| ryanm@pierccd.org                 | Pierce                        | Conservation District Ryan Mello, Director                               | SEPA   |
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| rgrindl@co.pierce.wa.us           | Pierce                        | County Public Works--Traffic Section Cory Grindley, County Road Engineer | SEPA   |
| aclark@co.pierce.wa.us            | Pierce                        | County Planning and Land Services  | SEPA   |
| SEPA@psc Cleanair.org             | Puget                         | Sound Clean Air Agency   | SEPA   |
| amhunt@up.com                     | Union                         | Pacific Railroad Aaron Hunt  | SEPA   |

|                                     |             |   |  |
|-------------------------------------|-------------|---|--|
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| jacalen.m.printz@usace.army.mil     | US          | Jacalen Printz                                      | SEPA   |
| kenknight.jeff@epamail.epa.gov      | Jeff        | KenKnight, Office of Compliance                     | SEPA   |
| epa-seattle@epa.gov                 | General     | Email   | SEPA   |
| ryan_mcreynolds@fws.gov             | Ryan        | McReynolds, Biologist                               | SEPA   |
| curtis_tanner@fws.gov               | Curtis      | Tanner, Division Manager                            | SEPA   |
| sepa@dahp.wa.gov                    | Washington  | State Dept. of Archeology and Historic Preservation | SEPA   |
| zmey461@ecy.wa.gov                  | Washington  | State Dept. of Ecology-Wetlands                     | SEPA   |
| elizabeth.bockstiegel@dfw.wa.gov    | Washington  | State Dept. of Fish and Wildlife Liz Bockstiegel    | SEPA   |
| sepacenter@dnr.wa.gov               | Washington  | State Dept. of Natural Resources                    | SEPA   |
| kathy.hunter@utc.wa.gov             | Kathy       | Hunter, Assistant Director Transportation Safety    | SEPA   |
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| jdixon@auburnwa.gov                 | Jeff        | Dixon   | SEPA   |
| kbaker@puyallupwa.gov               | Katie       | Baker   | SEPA   |
| karen.walter@muckleshoot.nsn.us     | Muckleshoot | Tribe Karen Walter                                  | Public Notices,SEPA  |
| carmenp@sumnerwa.gov                | Kathryn     | Patton  | Public Notices,Mailchimp Merge,SEPA,E-correspondence,Community Connections,Business Connections                              |
| ryanw@sumnerwa.gov                  | Ryan        | Windish   | Public Notices,Mailchimp Merge,SEPA,E-correspondence,Business Connections,TCP  |
| lanah@sumnerwa.gov                  | Lana        | Hoover  | Reserved Parking Updates,Public Notices,Mailchimp Merge,SEPA,E-correspondence,Community Connections,Business Connections,TCP |
| glen.stamant@muckleshoot.nsn.us     | Glen        | St. Amant   | SEPA   |
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| elizabeth.weldin@piercecountywa.gov |             |   | SEPA   |
| sarah.lukas@ecy.wa.gov              | Sarah       | Lukas   | Mailchimp Merge,SEPA,E-correspondence  |
| jason.westmoreland@williams.com     | Jason       | Westmoreland  | SEPA   |





**CHICAGO TITLE**  
NATIONAL COMMERCIAL SERVICES

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

| ParcelId   | OwnerNameLabelFormat        | SiteAddr                  | SiteCity | SiteZIP | SiteState | OwnerAddr                   | OwnerCityNm | OwnerState | OwnerZIP |
|------------|-----------------------------|---------------------------|----------|---------|-----------|-----------------------------|-------------|------------|----------|
| 3121059010 | Kana B Limited Liability Co |                           | Auburn   | 98092   | WA        | PO Box 8500                 | Kent        | WA         | 98042    |
| 3121059016 | Family Life Center          | 116 Lakeland Hills Way SE | Auburn   | 98092   | WA        | 3930 A Street Suite 305-178 | Auburn      | WA         | 98002    |
| 3121059027 | Juan Chavoya                | 5340 A St SE              | Auburn   | 98092   | WA        | 5340 A St SE                | Auburn      | WA         | 98092    |
| 3121059028 | Camwest Cobalt LLC          |                           | Auburn   | 98092   | WA        | 12332 NE 115th Pl           | Kirkland    | WA         | 98033    |
| 3121059033 | Kana B Limited Liability Co |                           | Auburn   | 98092   | WA        | PO Box 8500                 | Kent        | WA         | 98042    |
| 3121059036 | Kana B Limited Liability Co | 5490 A St SE              | Auburn   | 98092   | WA        | PO Box 8500                 | Kent        | WA         | 98042    |
| 3121059056 | Kana B Limited Liability Co | 5680 A St SE              | Auburn   | 98092   | WA        | PO Box 8500                 | Kent        | WA         | 98042    |
| 3121059069 | Alan Clayton                |                           | Auburn   | 98092   | WA        | 164 Maria Pia Ln            | Sagle       | ID         | 83860    |
| 3621049011 | King County-Wlrd Rfms       |                           | Pacific  | 98092   | WA        | 201 S Jackson St #600       | Seattle     | WA         | 98104    |
| 3621049020 | Bnsf Railway Company        | 5925 A St SE              | Auburn   | 98092   | WA        | PO Box 961089               | Fort Worth  | TX         | 76161    |
| 3621049044 | Family Life Center          |                           | Auburn   | 98092   | WA        | PO Box 1384                 | Auburn      | WA         | 98071    |
| 3621049050 | King County-Wlrd Rfms       |                           | Pacific  | 98047   | WA        | 201 S Jackson St #600       | Seattle     | WA         | 98104    |
| 3621049062 | King County-Wlrd Rfms       | 5827 A St SE              | Pacific  | 98047   | WA        | 201 S Jackson St #600       | Seattle     | WA         | 98104    |
| 3621049076 | King County-Wlrd Rfms       | 5721 A St SE              | Pacific  | 98047   | WA        | 201 S Jackson #600          | Seattle     | WA         | 98104    |
| 3621049101 | City Of Pacific             |                           | Auburn   | 98092   | WA        | 100 Third Ave SE            | Pacific     | WA         | 98047    |
| 3621049107 | Bnsf Railway Co             |                           | Pacific  | 98092   | WA        | 2500 Lou Menk Dr Aob #3     | Fort Worth  | TX         | 76131    |
| 0420011033 | King County                 | East Valley Hwy E         | Sumner   | 98390   | WA        | 201 S Jackson St Ste 600    | Seattle     | WA         | 98104    |
| 0520062022 | Frank & Shirley Rodarte     | 17 East Valley Hwy E      | Auburn   | 98092   | WA        | 17 E Valley Hwy E           | Auburn      | WA         | 98092    |
| 0520062023 | Frank & Shirley Rodarte     | 17 East Valley Hwy E      | Auburn   | 98092   | WA        | 17 E Valley Hwy E           | Auburn      | WA         | 98092    |



Kana B Limited Liability Co

PO Box 8500

Kent, WA 98042

Camwest Cobalt LLC

12332 NE 115th Pl

Kirkland, WA 98033

City Of Pacific

100 Third Ave SE

Pacific, WA 98047

Family Life Center

3930 A Street Suite 305-178

Auburn, WA 98002

Alan Clayton

164 Maria Pia Ln

Sagle, ID 83860

Bnsf Railway Co

2500 Lou Menk Dr Aob #3

Fort Worth, TX 76131

Juan Chavoya

5340 A St SE

Auburn, WA 98092

Bnsf Railway Company

PO Box 961089

Fort Worth, TX 76161

Frank &amp; Shirley Rodarte

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Auburn, WA 98092

## Exhibit D2 - City of Pacific SEPA Agency Contact List

### SEPA / NOA **Email** Distribution List (12-3-21)

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[Fire.marshall@vrfa.org](mailto:Fire.marshall@vrfa.org)  
[R6SSplanning@dfw.wa.gov](mailto:R6SSplanning@dfw.wa.gov)

## Agency

Auburn School District # 408  
City of Algona Mayor Hill  
City of Federal Way Community Development  
City of Pacific Community Development Manager, Jack Dodge  
Department of Ecology  
Department of Ecology  
Department of Ecology  
Department of Natural Resources DNR SEPA Center  
Dept. of Permitting and Environmental Review  
Dept. of Social & Health Services Land and Buildings Division  
Development Engineering Lakehaven Utility District  
Dieringer School District # 343  
Director/SEPA Responsible Official Master Builders Association  
Environmental Dept. Fisheries Office Muckleshoot Indian Tribe  
Environmental Health Division Public Health Seattle & KC  
Federal Way School District Director of Capital Projects  
Federal Emergency Management Agency (FEMA)  
Futurewise - King Co. Program Director  
K C Wastewater Treatment Div.  
Kent City Hall Planning Department  
Kent School District, Lisa Tylor, Budget Coordinator, Kent School District  
King Co. Dept. of Natural Resources Water/Land Resources Div.  
King Co. Dept. of Natural Resources Water/Land Resources Div.  
King Co. Solid Waste Div.  
King Co. Solid Waste Div.  
King County Area Developer Services  
King County Local Services/Roads Div.  
Lakeland Hills Master HOA  
Metro Transit  
Muckleshoot Indian Tribe Planning (Director)  
Muckleshoot Indian Tribe Planning  
Muckleshoot Tribe Cultural Program  
Office of Archaeology & Historic Preservation, WA State  
Office of Archaeology & Historic Preservation, WA State  
Pierce Co. P W Dept. & Utilities Solid Waste Division  
Pierce County Public Works & Utilities  
Pierce Transit, Land Use Review Capital Development  
Planning & Community Development City of Bonney Lake  
Puget Sound Energy  
Regulatory Branch U.S. Army Corps of Engineers - Seattle Dist.  
SEPA Review - Puget Sound Clean Air  
Sound Transit  
USDA - Natural Resources Conservation Service SEPA Responsible Service Center

WA State Dept. of Commerce  
Washington Environmental Council  
Dept. of Health WA State  
Pierce County Public Works & Utilities  
Puyallup Tribe







## **Notes**

*City Wide & West Hill*

*CAO (Wetland and/or Stream) Report  
Shoreline Permitting Contact - Maria Sandercock*

*Urban Growth Area or Annexation  
Social Services Concerns  
West of West Valley Highway  
Pierce County Projects*

*CAO Wetland, Stream or Habitat Reports (Send reports)*

*West Hill*

*Water Quality Impacts  
North Portion of City  
North Portion of City*

*Drainage, Floodplain, Env. Concerns & New Development*

*Solid Waste Impacts  
Traffic Reports  
Traffic Reports  
Pierce and King County Projects  
Transit Concerns Nr BNRR & UP*

*Only for specific questions; send SEPA emails to the general email  
Pierce County Projects  
Pierce County Projects  
Pierce County Projects  
Adjacent Pierce County Line  
SEPA Determination / Zoning  
Only send if it affects corps stuffs  
Traffic Report/Potential Air Discharges  
Adjacent UPRR & BNRR*



## King County

Department of Assessments

Accounting Division

201 S. Jackson St, Room 708, KSC-AS-0708  
Seattle, WA 98104

**John Wilson**

*Assessor*

December 8, 2022

Shelby Miklethun  
Boundary Review Board  
YES-BR-0240

RE: Pre-Review Pacific to Sumner Water and Sewer District Service Area - MOSBY

Dear BRB,

Staff reviewed the enclosed legal description stamped by the surveyor on 12/7/2022. The legal is acceptable for defining the proposed service area annexation.

If you have any questions, please feel free to contact me.

Sincerely,

*Christie Most*

Christie Most  
GIS Specialist  
King County Department of Assessments  
206-263-2284

**EXHIBIT "A"**

(SEWER ANNEXATION AREA)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M. SITUATED IN CITY OF PACIFIC, COUNTY OF KING, STATE OF WASHINGTON; BEING THAT OF THE BELOW DESCRIBED "PROPERTY":

**COMMENCING** AT A FOUND 2-1/2 INCH BRASS MONUMENT, BEING THE SOUTHEAST CORNER OF SECTION 36, FROM WHICH A FOUND 2-1/2 INCH BRASS DISC MONUMENT, BEING THE SOUTHWEST CORNER OF SECTION 36, BEARS NORTH 89°07'30" WEST, 5281.87 FEET; THENCE FROM SAID COMMENCING POINT, ALONG THE SOUTH LINE OF SAID SECTION, NORTH 89°07'30" WEST, 189.74 FEET TO THE WEST LINE OF A 3.50 FOOT CONVEYANCE TO BNSF RAILROAD COMPANY, RECORDED IN STATUTORY WARRANTY DEED UNDER RECORDING NUMBER 20150825001090, RECORDS OF KING COUNTY, WASHINGTON AND THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION, NORTH 89°07'30" WEST, 1,095.70 FEET, BEING 1285.44 FEET WESTERLY OF SAID SOUTHEAST CORNER. THENCE LEAVING SAID SOUTH LINE, NORTH 12°13'14" EAST, 182.67 FEET; THENCE NORTH 50°30'57" EAST, 309.02 FEET; THENCE NORTH 12°30'13" EAST, 245.98 FEET; THENCE NORTH 35°53'17" EAST, 139.40 FEET; THENCE NORTH 45°22'43" EAST, 274.60 FEET; THENCE NORTH 53°25'22" EAST, 212.19 FEET; THENCE NORTH 00°47'43" WEST, 256.19 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE ALONG SAID NORTH LINE, SOUTH 89°06'56" EAST, 300.41 FEET MORE OF LESS TO SAID WEST LINE OF A 3.5 FOOT CONVEYANCE TO BNSF RAILROAD COMPANY; THENCE LEAVING SAID NORTH LINE AND ALONG SAID WEST LINE, SOUTH 00°54'14" EAST, 1,315.86 FEET TO THE **POINT OF BEGINNING**.

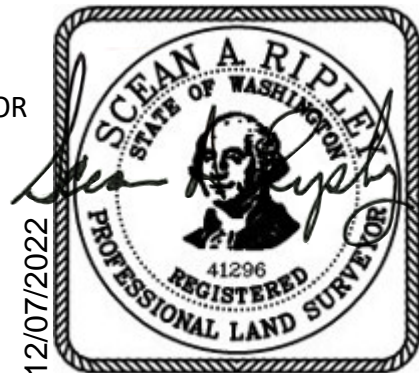
CONTAINING 888,755 SQUARE FEET, OR 20.40 ACRES MORE OR LESS.

[BEING THE COMBINED AREA OF THE BELOW "PROPERTY" DESCRIPTION]

**"PROPERTY" DESCRIPTION**

**PARCEL A:**

THAT PORTION OF THE WESTERLY 130 FEET OF THE EASTERLY 146.5 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE RIGHT-OF-WAY OF THE NORTHERN PACIFIC RAILWAY COMPANY;

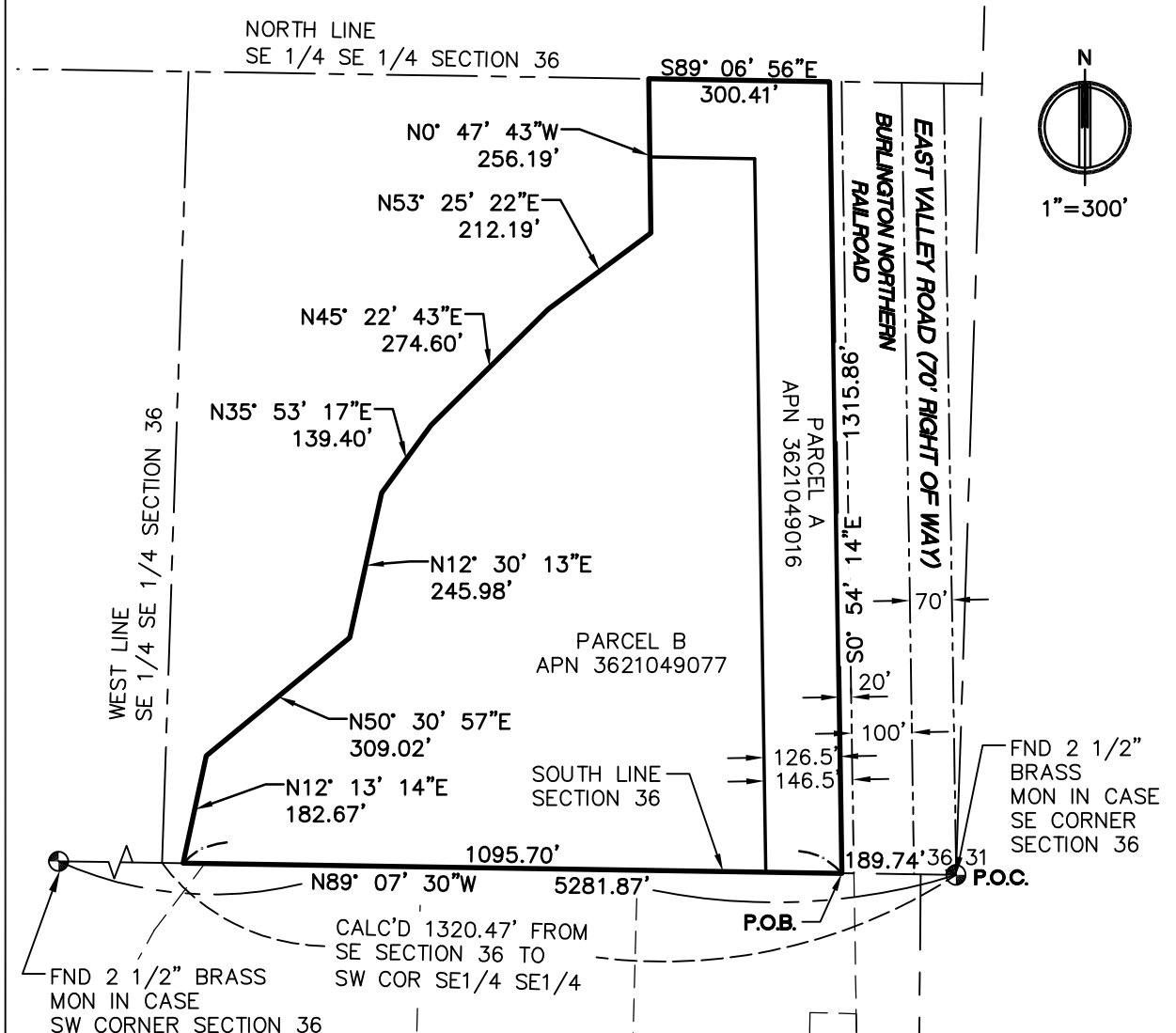


TOGETHER WITH THE NORTHERLY 130 FEET OF THE REMAINDER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE EASTERLY 146.5 FEET; EXCEPT THAT PORTION LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION LYING 1,285.44 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID SUBDIVISION;  
THENCE NORTH 12°13'01" EAST 182.67 FEET;  
THENCE NORTH 50°30'44" EAST 309.02 FEET;  
THENCE NORTH 12°30' EAST 245.98 FEET;  
THENCE NORTH 35°53'04" EAST 139.40 FEET;  
THENCE NORTH 45°22'30" EAST 274.60 FEET;  
THENCE NORTH 53°25'09" EAST 212.19 FEET;  
THENCE NORTH 00°47'56" WEST 255 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE ACCORDING TO THE DECREE OF APPROPRIATION FILED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 14-2-23003-6 AND RECORDED UNDER RECORDING NUMBER 20150416000492. EXCEPT ANY PORTION CONVEYED TO BNSF RAILWAY COMPANY UNDER KING COUNTY RECORDING NUMBER 20150825001090;

**PARCEL B:**

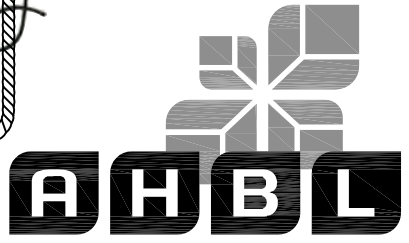
THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WESTERLY OF THE RIGHT-OF-WAY OF THE NORTHERN PACIFIC RAILWAY COMPANY;  
EXCEPT THE EASTERLY 146.5 FEET THEREOF;  
EXCEPT THE NORTHERLY 130 FEET THEREOF;  
EXCEPT ANY PORTION CONVEYED TO BNSF RAILWAY COMPANY UNDER KING COUNTY RECORDING NUMBER 20150825001090;  
EXCEPT THAT PORTION LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION LYING 1,285.44 FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID SUBDIVISION;  
THENCE NORTH 12°13'01" EAST 182.67 FEET;  
THENCE NORTH 50°30'44" EAST 309.02 FEET;  
THENCE NORTH 12°30' EAST 245.98 FEET;  
THENCE NORTH 35°53'04" EAST 139.40 FEET;  
THENCE NORTH 45°22'30" EAST 274.60 FEET;  
THENCE NORTH 53°25'09" EAST 212.19 FEET;  
THENCE NORTH 00°47'56" WEST 255 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION AND THE TERMINUS OF SAID DESCRIBED LINE ACCORDING TO THE DECREE OF APPROPRIATION FILED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 14-2-23003-6 AND RECORDED UNDER RECORDING NUMBER 20150416000492.

# EXHIBIT "B"



12/07/2022

JOB NO. 2210083.50  
 12/7/22  
 Sewer Annexation Area  
 LEGAL BY: SAR EXHIBIT BY: FSS  
 SE 1/4, SE 1/4, S36, T21N, R4E  
 w: \sdsproj\2021\2210083\2210083 annex.dwg



2215 North 30th Street,  
 Suite 200,  
 Tacoma, WA 98403  
 253.383.2422 TEL  
 253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



- Control
- RightOfWay
- Plat
- ShortPlat
- OriginalShortPlat
- Parcel
- Lot
- Easement
- Survey
- GovernmentLot
- Hydro
- DonationLandClaim
- Proposed
- Parcel
- Platted Major Number
- City

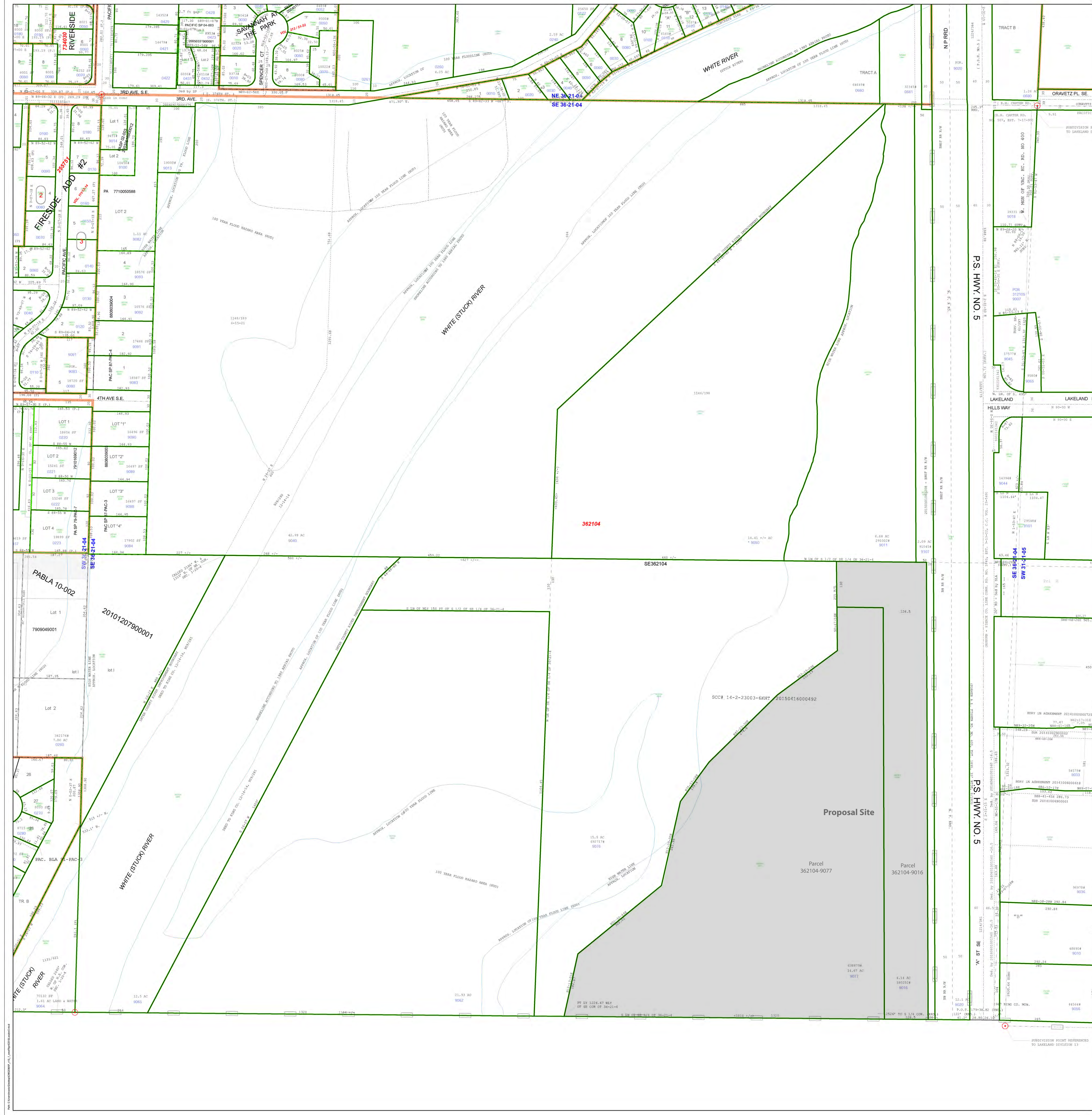
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|             |             |             |
|-------------|-------------|-------------|
| NW 36-21-04 | NE 36-21-04 | NW 31-21-05 |
| SW 36-21-04 | SE 36-21-04 | SW 31-21-05 |



# SE 36-21-04

1 inch = 100 feet  
Date: 7/15/2020





- Control
- RightOfWay
- Plat
- ShortPlat
- OriginalShortPlat
- Parcel
- Lot
- Easement
- Survey
- GovernmentLot
- Hydro
- DonationLandClaim
- Proposed
- Parcel
- Platted Major Number
- City

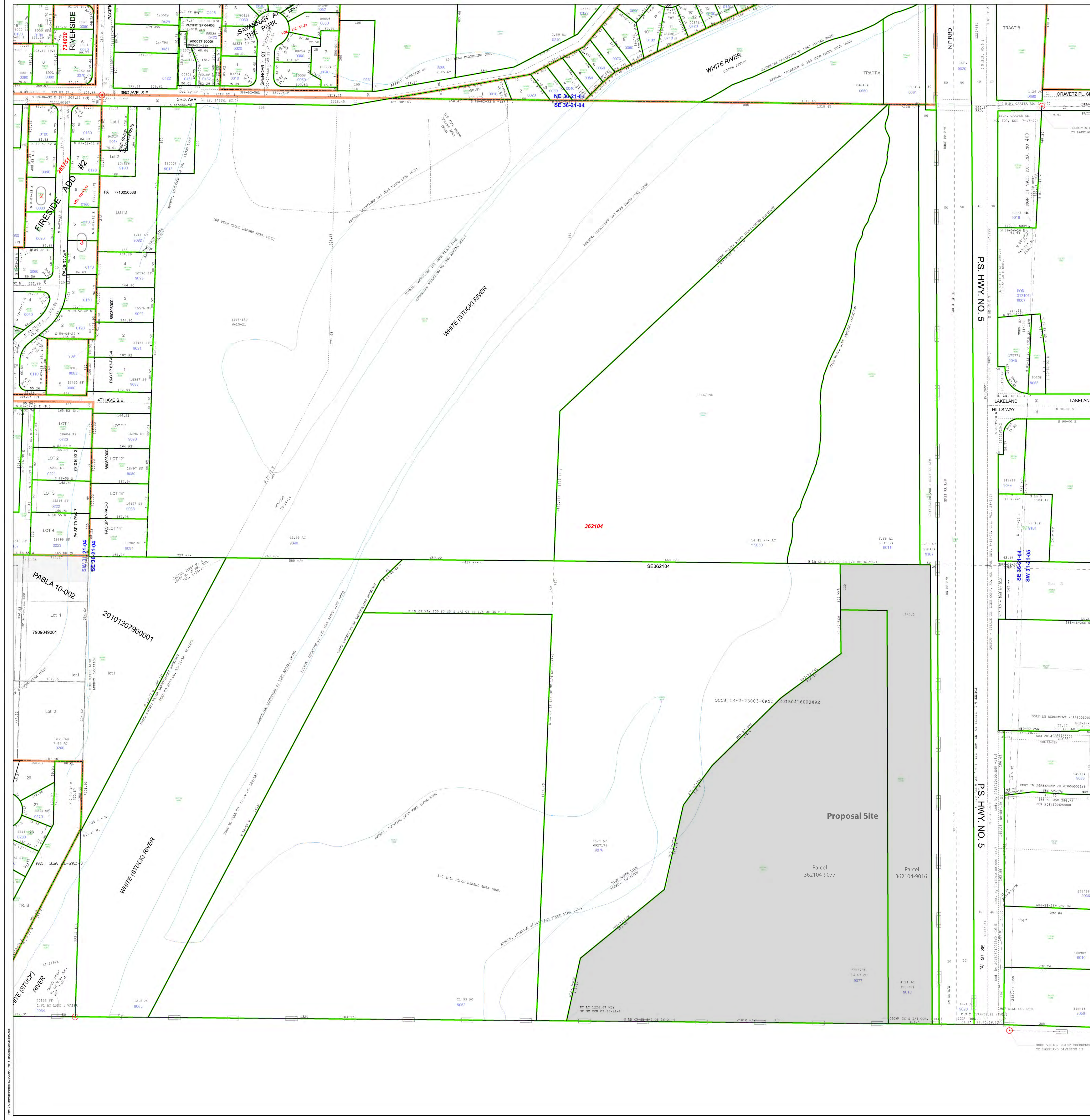
The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or quality of this information. King County also will not be liable for any general, specific, consequential, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any use of this map or information on this map is prohibited except by written permission of King County. This map is for assessment purposes only. It is provided to assist in locating your property, and is not guaranteed to show accurate measurements or to reflect liability or suitability of tax parcels. Do not use for survey purposes.

|             |             |             |
|-------------|-------------|-------------|
| NW 36-21-04 | NE 36-21-04 | NW 31-21-05 |
| SW 36-21-04 | SE 36-21-04 | SW 31-21-05 |



# SE 36-21-04




1 inch = 100 feet  
Date: 7/15/2020














# Green Valley Farms - Proposed Service Area Change

## City Boundaries

-  Site
-  Water Bodies
-  King/Pierce County Boundary

### City Name/ Boundaries

-  Algona
-  Federal Way
-  Pacific
-  Auburn
-  Bonney Lake
-  Edgewood
-  Sumner

-  Unincorporated King County
-  Unincorporated Pierce County

Federal Way

Algona

Pacific

Auburn

KING COUNTY  
PIERCE COUNTY

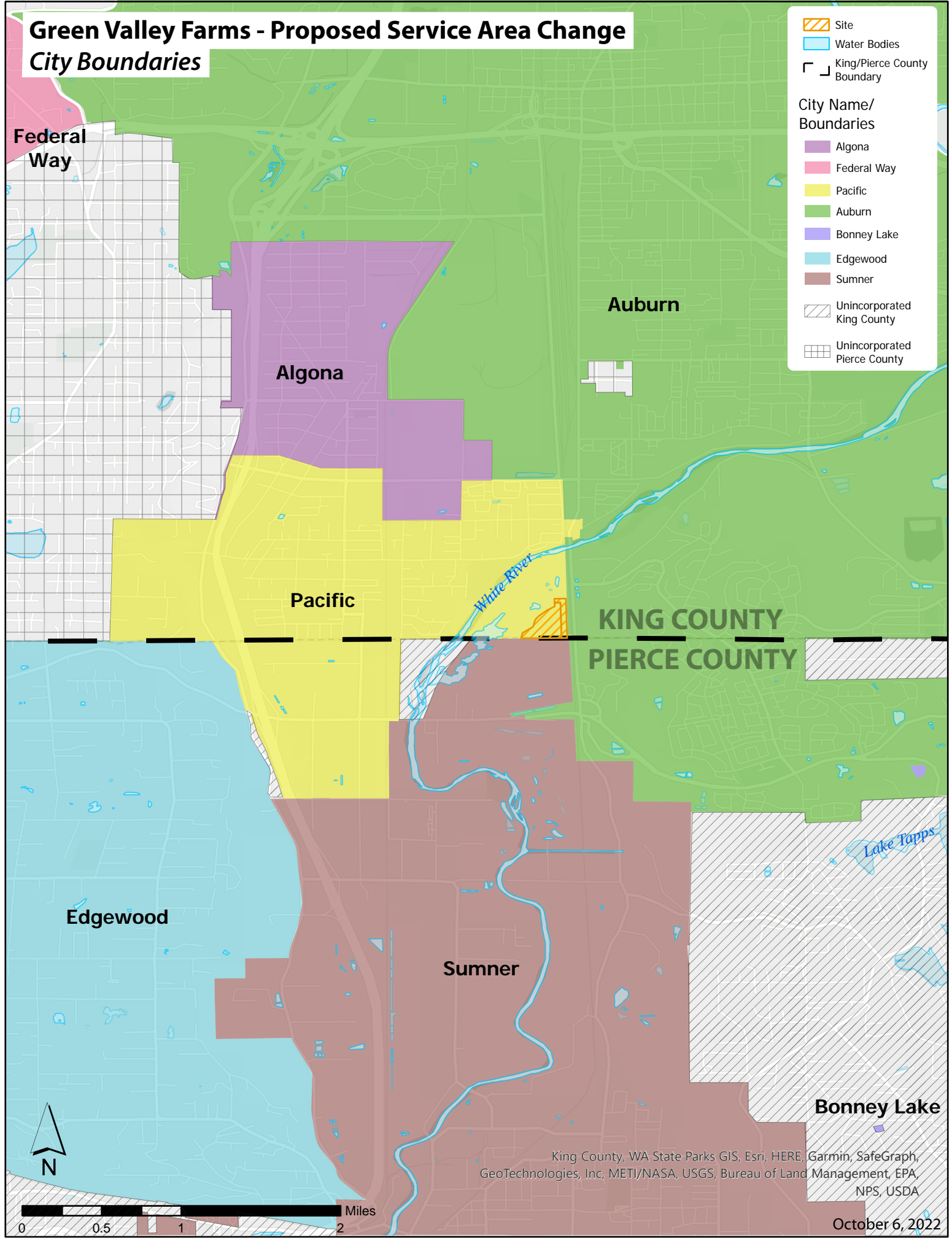
Edgewood

Sumner

Bonney Lake





King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

October 6, 2022












# Green Valley Farms - Proposed Service Area Change

## Urban Growth Area Boundaries

-  Site
-  Water Bodies
-  City Boundaries
-  King/Pierce County Boundary

### Urban Growth Area Boundaries/Name

-  Algona UGA
-  Auburn UGA
-  Bonney Lake UGA
-  Edgewood UGA
-  Federal Way UGA
-  King County UGA
-  Pacific UGA
-  Puyallup UGA
-  Sumner UGA

Federal Way

Auburn

Algona

Pacific

White River

Edgewood

Sumner

Lake Tapps

Bonney Lake














King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

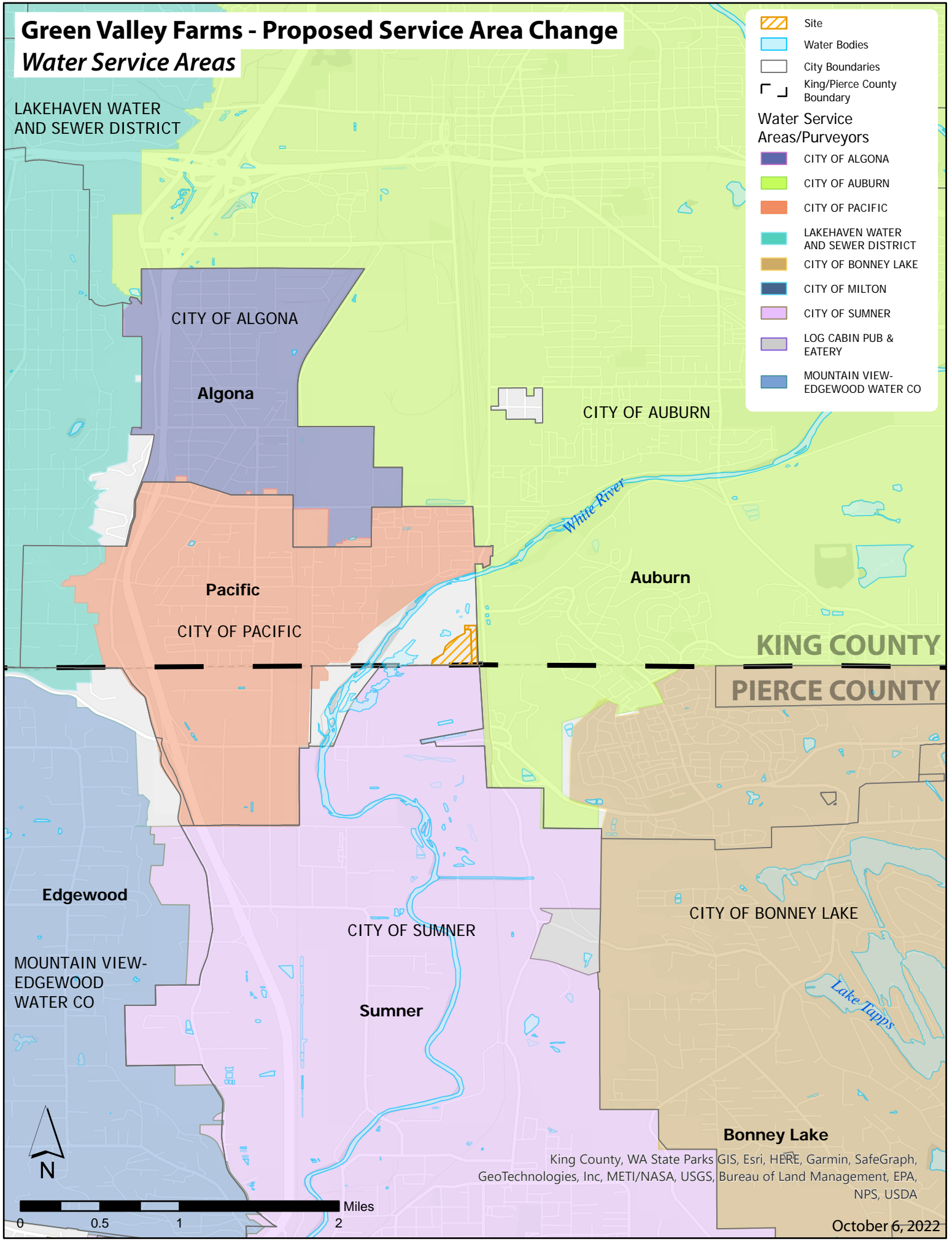


October 6, 2022

# Green Valley Farms - Proposed Service Area Change

## Water Service Areas

-  Site
  -  Water Bodies
  -  City Boundaries
  -  King/Pierce County Boundary
- Water Service Areas/Purveyors**
-  CITY OF ALGONA
  -  CITY OF AUBURN
  -  CITY OF PACIFIC
  -  LAKEHAVEN WATER AND SEWER DISTRICT
  -  CITY OF BONNEY LAKE
  -  CITY OF MILTON
  -  CITY OF SUMNER
  -  LOG CABIN PUB & EATERY
  -  MOUNTAIN VIEW-EDGEWOOD WATER CO



LAKEHAVEN WATER AND SEWER DISTRICT

CITY OF ALGONA

Algona

CITY OF AUBURN

Auburn

Pacific

CITY OF PACIFIC

**KING COUNTY**

**PIERCE COUNTY**

Edgewood

MOUNTAIN VIEW-EDGEWOOD WATER CO

CITY OF SUMNER

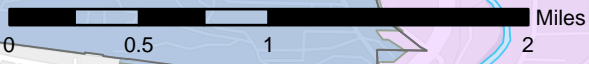
Sumner

CITY OF BONNEY LAKE

**Bonney Lake**

King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

October 6, 2022

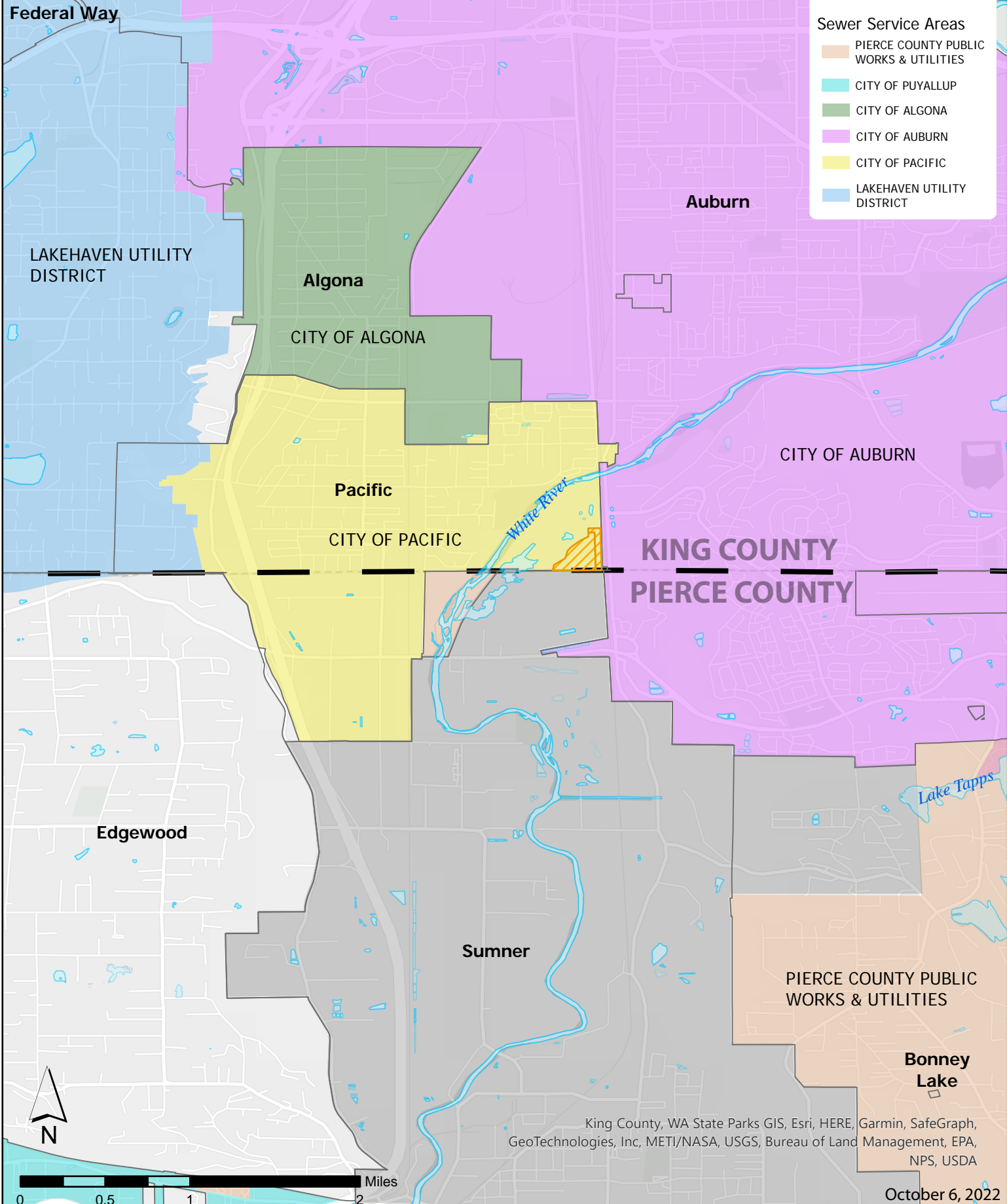


# Green Valley Farms - Proposed Service Area Change

## Sewer Service Areas

▨ Site  
■ Water Bodies  
□ City Boundaries  
□ King/Pierce County Boundary

**Sewer Service Areas**  
■ PIERCE COUNTY PUBLIC WORKS & UTILITIES  
■ CITY OF PUYALLUP  
■ CITY OF ALGONA  
■ CITY OF PACIFIC  
■ LAKEHAVEN UTILITY DISTRICT



King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

October 6, 2022



# Green Valley Farms - Proposed Service Area Change

PUGET SOUND REGIONAL  
FIRE AUTHORITY

## Fire Districts

Kent

- Site
- Fire Districts
- Water Bodies
- King/Pierce County Boundary
- City Name/  
Boundaries
- Algona
- Auburn
- Federal Way
- Kent
- Bonney Lake
- Edgewood
- Pacific
- Puyallup
- Sumner

Auburn

VALLEY REGIONAL  
FIRE AUTHORITY

Algona

Pacific

KING COUNTY

PIERCE COUNTY

Edgewood

Sumner

EAST PIERCE  
FIRE & RESCUE

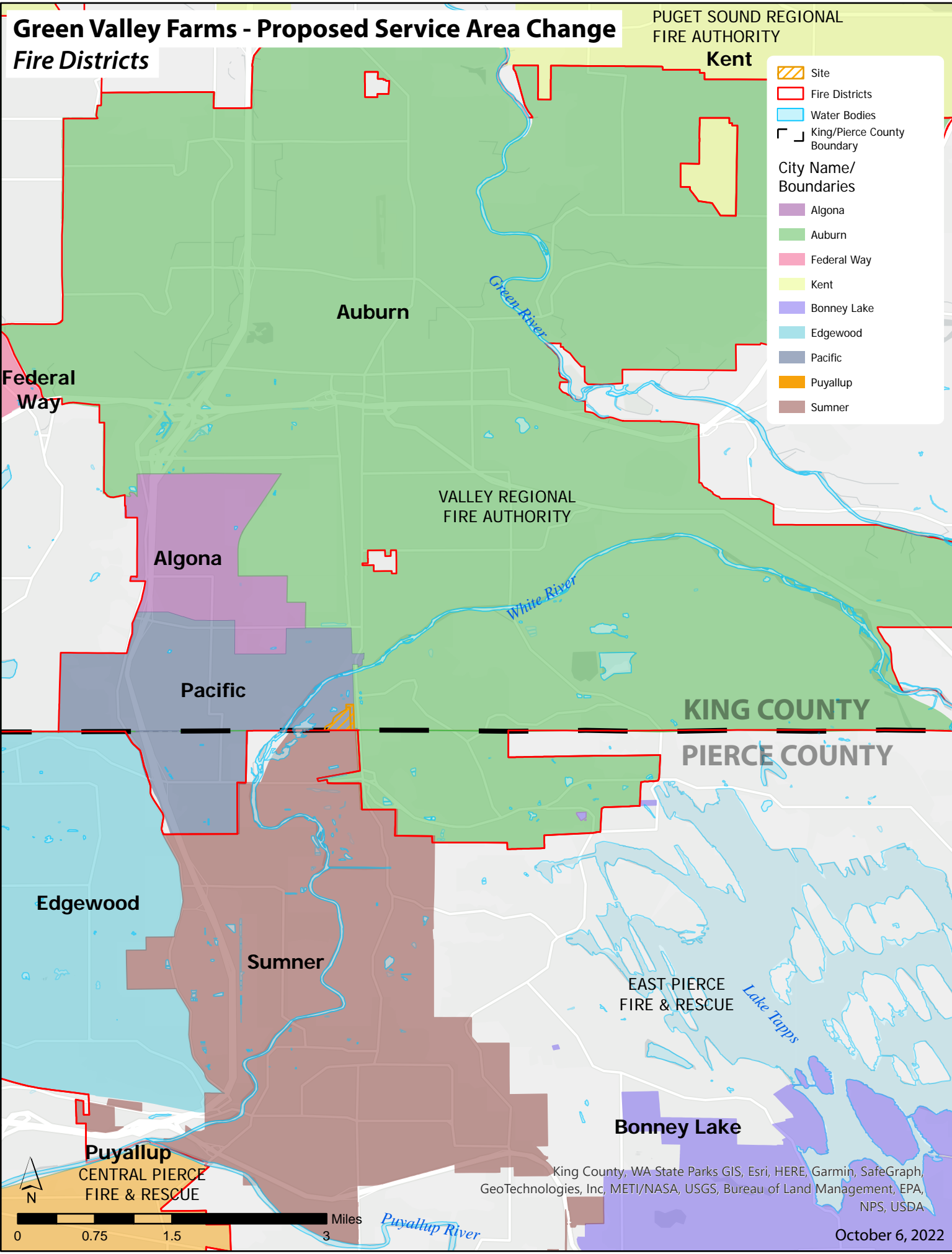
Bonney Lake

Puyallup

CENTRAL PIERCE  
FIRE & RESCUE

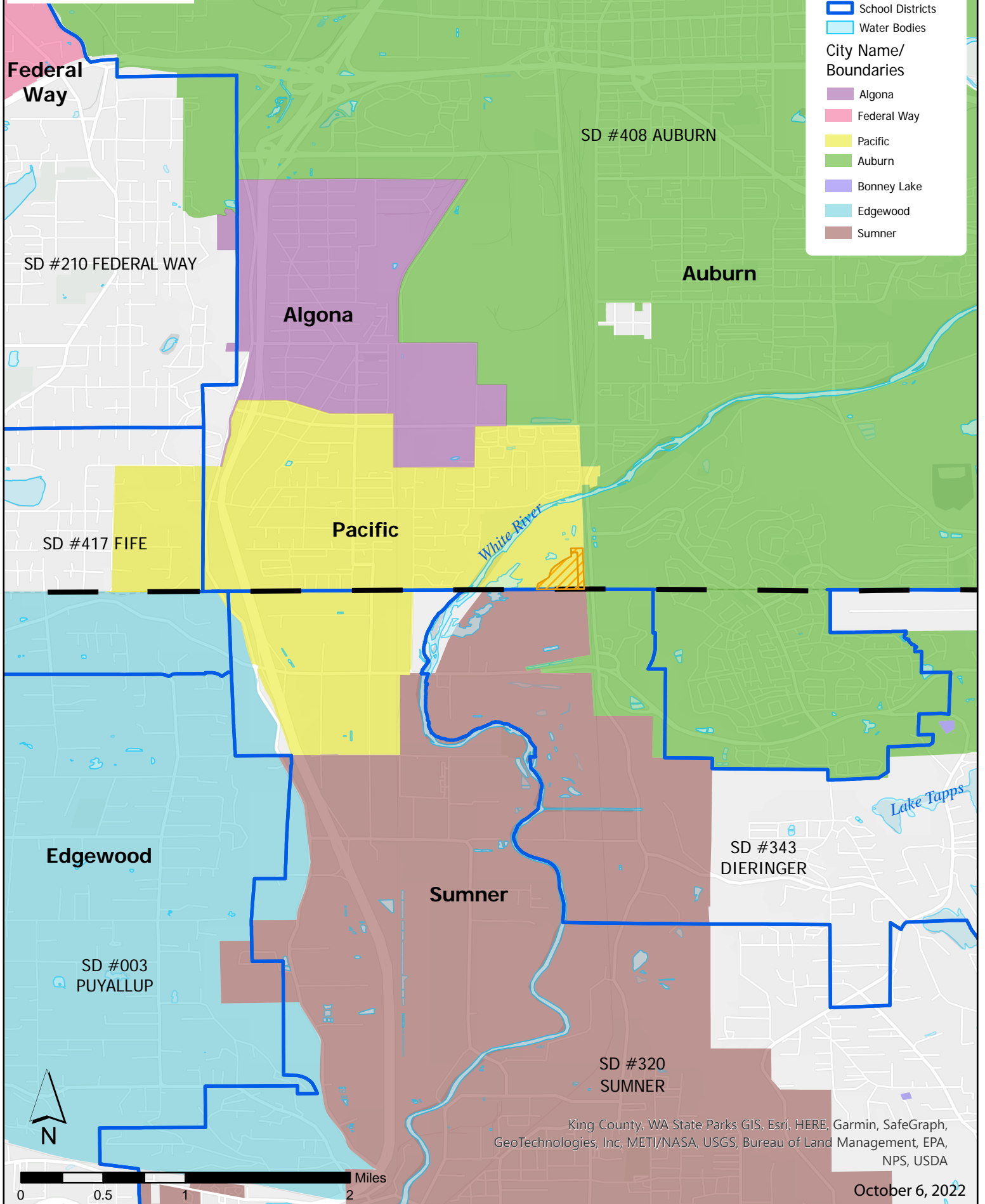
King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph,  
GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA,  
NPS, USDA

October 6, 2022



# Green Valley Farms - Proposed Service Area Change

## School Districts

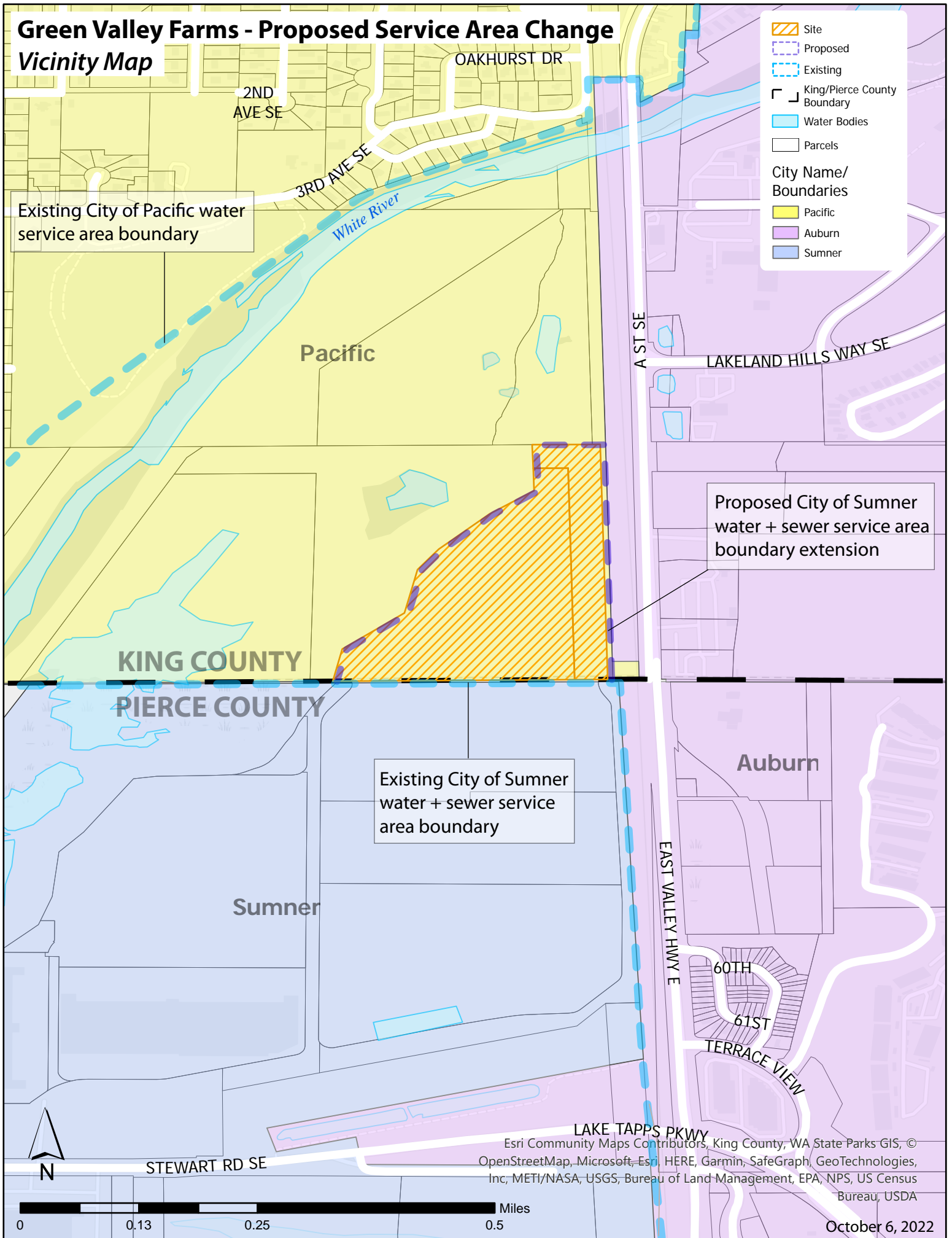


King County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

October 6, 2022

# Green Valley Farms - Proposed Service Area Change

## Vicinity Map



**CITY OF PACIFIC  
WASHINGTON**

**ORDINANCE NO. 2021-2047**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE COMPREHENSIVE PLAN UNDER THE GROWTH MANAGEMENT ACT; ADOPTING AMENDMENTS TO THE INTRODUCTION, COMMUNITY CHARACTER, ECONOMIC DEVELOPMENT, PARKS, OPEN SPACE, RECREATION AND TRAILS, AND CAPITAL FACILITIES ELEMENTS OF THE COMPREHENSIVE PLAN; ADOPTING ADDITIONAL POLICIES AND TEXT; MAKING DETERMINATIONS RELATING TO CITIZEN REQUESTS FOR CHANGES TO THE COMPREHENSIVE PLAN FUTURE LAND USE MAP AND REZONES; AMENDING THE FUTURE LAND USE MAP AND REZONING CERTAIN PROPERTY TO BE CONSISTENT WITH THE REVISED LAND USE MAP CHANGES; AND SETTING AN EFFECTIVE DATE.**

---

**WHEREAS**, the Growth Management Act, codified at Chapter 36.70A RCW (GMA), establishes statewide and local goals, guidelines, and procedural requirements to guide the development, coordination, and implementation of long-range plans; and

**WHEREAS**, the City of Pacific plans under the GMA, which requires that the City adopt a Comprehensive Plan (RCW 36.70A.040); and

**WHEREAS**, pursuant to Section 16.32.030 of the Pacific Municipal Code (PMC) the City may annually adopt amendments to the City's Comprehensive Plan (RCW 36.70A.470); and

**WHEREAS**, the City's deadline for submission of applications for amendments to the Comprehensive Plan for the year 2021 was March 1, 2021; and

**WHEREAS**, The City receive two (2) requests for Comprehensive Plan Land Use Map changes and related rezones and received one request for text and map changes to Chapter 1 – Introduction, Chapter 4 – Community Character, Chapter 6 – Economic Development, Chapter 7 – Parks, Open Space, Recreation and Trails, and Chapter 10 – Capital Facilities; and

**WHEREAS**, the SEPA Responsible Official performed SEPA on the applications and issued a Determination of Nonsignificance (DNS) on the applications on May 28, 2021; and

**WHEREAS**, pursuant to RCW 36.70A.106, the City submitted the 60 day "Notice of Intent" to adopt the proposed amendments to the Department of Commerce on May 13, 2021 which were acknowledge by the Department of Commerce on May 13, 2021; and

**WHEREAS**, the Planning Commission conducted three (3) public meetings, including one (1) public hearing on July 27, 2021, on the proposed amendments and after hearing public testimony, deliberated and issued their recommendations; and

**WHEREAS**, the Planning Commission's recommendations were delivered to the City Council, and the City Council considered the recommendations during public meetings on



September 7, 2021, September 13, 2021, and September 27, 2021 held by the City Council; and

**WHEREAS**, pursuant to RCW 36.70A.020, the City Council has been guided by the GMA planning goals in its adoption of this ordinance;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, ORDAINS AS FOLLOWS:**

**Section 1. Findings.** The City Council hereby adopts and incorporates the facts set forth in the recitals above, in addition to the findings set forth in Sections 2–4 below, as findings to support the amendments to the City’s Comprehensive Plan, Comprehensive Plan Land Use Map and related rezones.

**Section 2. Requested Amendments.** The City Council considered the Comprehensive Plan amendments and associated rezone requests and the Planning Commission’s recommendations on each application as follows:

A. Mosby (Tarragon) Comprehensive Plan Land Use Map Change and Rezone Request – File CPL-21-001.

1. *Description.* Tarragon LLC requested a Comprehensive Plan Land Use Map Change from the current Open Space designation to the Light Industrial with the Manufacturing-Industrial Center (MIC) designation (Exhibit A). A request for a rezone from the Residential Open Space (RO) designation to Light Industrial with a MIC overlay has been withdrawn to be pursued at a later date.

The requests affects two properties – King County Tax Parcels 3621049077 and 3621049016. Mr. Mosby is the property owner. Tarragon has a purchase and sales agreement with Mr. Mosby. Water and Sewer service could be provided to the property from the City of Sumner. The City of Pacific and City of Sumner are in the process of working through an Interlocal Agreement (ILA) for Sumner to provide water and sewer to the property. Access to the property could be provided through the Tarragon (SeaPort-Land LLC) property to the south to 8<sup>th</sup> Street in Sumner.

2. *Findings.* Water and Sewer service is currently not available to the property nor can the City provide water and sewer service to the property. The City of Sumner has indicated that they could provide water and sewer service through an Interlocal Agreement (ILA) with the City of Pacific. Public access is only available through the BNSF railroad undercrossing. The crossing is approximately 18 feet wide. The access is not suitable for Light Industrial zoned traffic. Access would be provided through the property to the south to 8<sup>th</sup> Street in Sumner. Property to the south in the City of Sumner contains a Comprehensive Plan Land Use Map designation of Light Industrial with the MIC overlay. The zoning is Light Industrial with the MIC overlay. The requested Comprehensive Plan Land Use Map change is consistent the City of Sumner’s designation.

3. *Staff Recommendation:* City staff has recommended approval of the proposed Comprehensive Plan Land Use Map change as illustrated in Exhibit A and as set forth in the staff recommendation to the Planning Commission (Exhibit B). Staff recommends a provisional approval for two (2) years. To obtain final approval, the following conditions must be achieved:
  - A. An Interlocal Agreement with the City of Sumner to provide water service to the property is mutually approved by the City of Pacific and City of Sumner and by the King and Pierce County Boundary Review Boards.
  - B. An Interlocal Agreement with the City of Sumner to provide sewer service to the property is mutually approved by the City of Pacific and City of Sumner and the King and Pierce County Boundary Review Boards.
  - C. The applicant must obtain an agreement which provides access to 8th Street E in the City of Sumner through the property to the south. This agreement must be approved by the City of Pacific, which approval will not be unreasonably conditioned or withheld.
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed Comprehensive Plan Land Use Map change. The Planning Commission recommends approval of the Comprehensive Plan Land Use Map change with the above conditions.
5. *Council Conclusions:* The City is charged with guiding the future land use patterns and uses within the City while taking into account the rights of property owners. The City is currently working with City of Sumner to provide water and sewer service to the property, which could take approximately 12 to 24 months. Should the purchase option be implemented, access to 8<sup>th</sup> St. E through the property to the south will be provided. The proposed amendment to the Comprehensive Plan Land Use Map designation from Open Space to Light Industrial with the Manufacturing-Industrial Center (MIC) designation is approved. However, the approved designation amendment is conditioned upon and shall terminate and be void if water and sewer is not available to the property by September 30, 2023. If water and sewer are not made available by such time and appropriate access provided via 8<sup>th</sup> Street to the south, then the Comprehensive Plan Land Use Map designation for the property shall return to the Open Space designation.

B. Valley Recycling Land Use Map change and Requested Rezone (CPL-21-002)

1. *Description.* The requests effects two properties – King County Tax parcels 3353404460 (northern parcel) and 3353404350 (southern parcel). Both parcels currently have split Comprehensive Plan and Zoning designations (Open Space/Highway Commercial). Valley

Recycling is requesting a Comprehensive Plan Land Use Map Change from the current Highway Commercial designation to the Light Industrial designation. Valley Recycling has also requested an associated rezone request from Highway Commercial to Light Industrial. These requests are attached to this ordinance as Exhibit C.

2. *Findings.* Water and Sewer service is available to the property and access is provided by either 3<sup>rd</sup> Ave SW or the West Valley Highway. Other utilities are provided to the property either through 3<sup>rd</sup> Ave SW or the West Valley Highway. Critical areas are located on both parcels and will affect the area of the property that would receive the light industrial designations.
3. *Staff Recommendation:* City staff has recommended approval of the proposed Comprehensive Plan Land Use Map change and associated rezone as illustrated in Exhibit C and in the staff recommendation to the Planning Commission (Exhibit D).
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed Comprehensive Plan Land Use Map change and the associated rezone and issued their recommendation of approval of the Comprehensive Plan Land Use Map change and associated rezone request.
5. *Council Conclusions:* The City is charged with guiding the future land use patterns and uses within the City while taking into account the rights of property owners. The property is currently served by water and sewer and currently has access to two (2) public rights-of-way. Critical Areas are located on the properties and must be taken into account relative to the extent of the Comprehensive Plan Land Use designation and zoning on the properties. The proposed amendment to the Comprehensive Plan Land Use Map designation is approved. The proposed rezone is approved.

C. Chapter 1 – Introduction, Comprehensive Plan (CPL-21-003)

1. *Description.* Proposed amendments Chapter 1 - Introduction include the following:
  - A. Double column format changed to single column format.
  - B. Information is updated.

The amendment is attached to this Ordinance as Exhibit E.

2. *Findings.* Under the Growth Management Act (GMA) RCW 36.70A the City must adopt a Comprehensive Plan. The Introduction Chapter of the Comprehensive Plan is an important element of the plan for orienting the reader to the Plan. The Introduction Chapter was last updated in 2015 and needs to be updated to reflect the current contents of the City's Comprehensive Plan.

3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 1 Introduction.
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.
5. *Council Conclusions:* Chapter 1 Introduction provides an introduction to the Comprehensive Plan for the City's proposed amendments and provides additional information and methods to reach the City's goals. The proposed amendments further meet this requirement.

D. Chapter 4 – Community Character, Comprehensive Plan (CPL-21-003)

1. *Description.* Proposed amendments Chapter 4 – Community Character include the following:
  - A. Double column format changed to single column format.
  - B. Information is updated.
  - C. Redundant policies have been removed.

The amendments are attached to this Ordinance as Exhibit F.

2. *Findings.* Under the Growth Management Act (GMA) RCW 36.70A.080 the City must adopt a Comprehensive Plan to meet the State requirements. The proposed amendments to Chapter 4 – Community Character will meet the requirements of RCW 36.70A.
3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 4 – Community Character.
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.
5. *Council Conclusions:* Chapter 4 – Community Character provides a blueprint to provide additional information and methods to implement the City's goals. The proposed amendments further meet this requirement.

E. Chapter 6 – Economic Development, Comprehensive Plan (CPL-21-003)

1. *Description.* Proposed amendments Chapter 6 – Economic Development include the following:
  - A. Double column format changed to single column format.
  - B. Information is updated.
  - C. Redundant policies have be removed.

The amendments are attached to this Ordinance as Exhibit G.

2. *Findings.* Under the Growth Management Act (GMA) RCW 36.70A.070 the Economic Development Chapter of the Comprehensive Plan is a requisite element of the plan which is required to be updated on a periodic basis. The proposed amendments to Chapter 6 – Economic Development will meet the requirements of RCW 36.70A.
3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 6 – Economic Development.
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.
5. *Council Conclusions:* Chapter 6 - Economic Development provides a blueprint for the City's Economic Development. The proposed amendments provide additional information and methods to reach the City's goals.

F. Chapter 7 – Parks, Open Space, Recreation and Trails (CPL-21-003)

1. *Description.* Proposed amendments Chapter 7 – Economic Development include the following:
  - A. Double column format changed to single column format.
  - B. Information is updated.
  - C. Redundant policies have been removed.
  - D. Maps of the City Parks have been added.
  - E. Previous Park survey information has been added.

The amendments are attached to this Ordinance as Exhibit H.

2. *Findings.* Under the Growth Management Act (GMA) RCW 36.70A.070 the Parks, Open Space, Recreation and Trails chapter of the Comprehensive Plan is a requisite element of the plan which is required to be updated on a periodic basis. In March of 2017, the City received a letter from State of Washington Recreation and Conservation Office (RCO). The letter stated that Chapter 7 – Parks needed to be updated and that the City would no longer be eligible for RCO park grants until the Chapter is updated. The proposed amendments to Chapter 7 – Parks, Open Space, Recreation and Trails will meet the requirements of RCW 36.70A.070 and the update requirements of the RCO.
3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 7 – Parks, Open Space, Recreation and Trails.
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning

Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.

5. *Council Conclusions:* Chapter 7 - Parks, Open Space, Recreation and Trails provides a blueprint for the City's Parks, Open Space, Recreation and Trails. The proposed amendments provide additional information and methods to reach the City's goals and meet the requirements of the Recreation and Conservation Office.

G. Chapter 10 – Capital Facilities Plan (CPL-21-003)

1. *Description.* Proposed amendments Chapter 10 – Capital Facilities include the following:

- A. Table 10-CFP 2021-2040 CITY OF PACIFIC CAPITAL FACILITIES PLAN has been updated

The amendment is attached to this Ordinance as Exhibit I.

2. *Findings.* Under the Growth Management Act (GMA) RCW 36.70A.070 the Capital Facilities chapter of the Comprehensive Plan is a requisite element of the plan which is required to be updated on a periodic basis. As part of the Capital Facilities element, a table outlining the City's funding resources for Capital Facilities needs to be provided and updated on an annual basis. The updated Table provided as Exhibit I meets this requirement.
3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 10 – Capital Facilities
4. *Planning Commission Recommendation:* On July 27, 2021 the Planning Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.
5. *Council Conclusions:* The proposed amendments to Table 10-CFP of Chapter 10 – Capital Facilities meet the requirements of the Growth Management Act (GMA) RCW 36.70A.070.

**Section 3. Comprehensive Plan Amendments Approved.** The 2021 applications to amend the Pacific Comprehensive Plan Land Use Map and text, listed as follows are hereby approved:

- A. CP-21-001 – Mosby (Tarragon): The requested change to the Comprehensive Plan Land Use Map from Open Space to Light Industrial with the Manufacturing-Industrial Center (MIC) Overlay is approved, as set forth in Exhibit A, attached hereto and incorporated by reference. This approval is subject to the conditions set forth in

Section 2.A.3 above, which are herein incorporated.

- B. CP-16-002 – Valley Recycling: The requested change to the Comprehensive Plan Land Use Map from Highway Commercial to Light Industrial is approved and shall generally be that area outside of geologically hazardous areas on the lower portions of the properties as defined under Chapter 23.50 of the Pacific Municipal Code (PMC) and generally depicted as set forth in Exhibit C, attached hereto and incorporated by reference.
- C. Chapter 1 - Introduction: The amendments to the Introduction, as set forth in Exhibit E, attached hereto and incorporated by reference, are approved.
- D. Chapter 4 - Community Character: The amendments to the Community Character chapter, as set forth in Exhibit F, attached hereto and incorporated by reference, are approved.
- E. Chapter 6 – Economic Development: The amendments to the Economic Development chapter, as set forth in Exhibit G, attached hereto and incorporated by reference, are approved.
- F. Chapter 7 – Parks, Open Space, Recreation and Trails: The amendments to the Parks, Open Space, Recreation and Trail chapter, as set forth in Exhibit H, attached hereto and incorporated by reference, are approved.
- G. Chapter 10 – Capital Facilities: The amendments to Table 10-CFP of Chapter 10 – Capital Facilities as set forth in Exhibit I, attached hereto and incorporated by reference, are approved.

**Section 4. Rezone Requests Approved.** The 2021 applications to amend the Pacific Zoning Map listed as follows is hereby approved:

- A. CPL-21-002 – Valley Recycling: The requested change to the Zoning Map from Highway Commercial to Light Industrial is approved and shall generally be that area outside of geologically hazardous areas on the lower portions of the properties as defined under Chapter 23.50 of the Pacific Municipal Code (PMC) and generally depicted as set forth in Exhibit C, attached hereto and incorporated by reference.

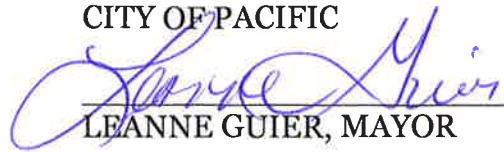
**Section 5. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 6. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 7. Effective Date.** This Ordinance shall become effective five days after publication as provided by law.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 27th DAY OF SEPTEMBER, 2021.**


CITY OF PACIFIC

  
LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

  
LAURIE CASSELL, MMC  
CITY CLERK

APPROVED AS TO FORM:

  
CHARLOTTE ARCHER, CITY ATTORNEY



# PSRC PLAN REVIEW REPORT & CERTIFICATION RECOMMENDATION



## CITY OF PACIFIC COMPREHENSIVE PLAN

December 12, 2017

### BACKGROUND

PSRC conditionally certified the City of Pacific's 2015 periodic update of the city's comprehensive plan on April 28, 2016. In November 2017, the city adopted amendments to the plan that address the conditions and resubmitted the plan for further review and full certification.

### CERTIFICATION RECOMMENDATION

Based on the review of the 2017 City of Pacific comprehensive plan amendments, the following action is recommended to the PSRC Growth Management Policy Board, Transportation Policy Board, and Executive Board:

**The Puget Sound Regional Council certifies that the transportation-related provisions in the City of Pacific 2017 comprehensive plan amendments conform to the Growth Management Act and are consistent with multicounty planning policies and the regional transportation plan.**

### 2017 COMPREHENSIVE PLAN AMENDMENTS

The Growth Management Act requires local comprehensive plans to be updated to accommodate the growth that is anticipated for the succeeding 20-year planning period (see RCW 36.70A.070, .115, and .130). The act also requires that plan elements use consistent land use assumptions in order that a local jurisdiction is coordinating planning for land uses, housing, and capital facilities (RCW 36.70A.070(6)).

The March 2016 certification report for the City of Pacific comprehensive plan update identified a shortfall of employment capacity within the Pierce County part of the city, as provided for in the land use element, compared with adopted targets. These targets establish local responsibility under GMA to accommodate growth and provide the basis for land use assumptions in the transportation element.

The city addressed the gap in employment capacity in Pierce County in two ways, as referenced in the revised transportation element. Employment capacity was re-estimated, and consequently increased, based on assumptions and data from the Buildable Lands work in the King County portion of the city. In addition, a portion of the employment target was shifted from the Pacific to the Sumner part of the Manufacturing Industrial Center (MIC). After the city of Sumner agreed to have the remaining employment target reallocated to the Sumner portion of the MIC, the Pierce County council adopted revised targets in June 2017 to reflect this reallocation. The reallocation allows the proposed MIC to maintain sufficient capacity for regional designation. The updated transportation element provides confirmation that the traffic demand analysis uses growth assumptions that are consistent with the land use element and revised growth targets.

The March 2016 certification report also identified the need to provide a multiyear transportation financing plan and a nonmotorized plan. The city developed a finance plan for transportation over the 20-year planning period. It includes project descriptions and cost estimates for transportation projects expected to be constructed between 2017 and 2035, as well as an estimate of revenues through 2035. The financing plan also includes a reassessment strategy that documents the steps the city would take to close a gap, if any, between costs and revenues. The

November 2017 amendments to the comprehensive plan include the multiyear transportation financing plan in the transportation element.

The city developed a nonmotorized plan and included it in the updated transportation element. The nonmotorized plan includes an inventory of existing nonmotorized facilities in and near Pacific, planned nonmotorized facilities to complete the nonmotorized network, and cost estimates for those facilities. The cost estimates are reflected in the 20-year transportation finance plan. The November 2017 amendments include the nonmotorized plan.

The amended plan demonstrates consistency with the GMA in accommodating targeted growth, providing consistency among plan elements in assumed future growth levels, planning for nonmotorized travel, and completing a multiyear financing plan.

## Conclusion

PSRC staff worked closely with the city as they drafted the plan amendments that address the conditions for certification. If the Executive Board acts as recommended, the plan will no longer have conditions on its certification. PSRC looks forward to working with the city on future planning efforts and will continue to provide guidance and technical assistance on any further amendments to the plan, subarea plans, or functional plans developed in response to additional issues identified through the PSRC certification review.

Additional background and resources can be found in the [City of Pacific 2015 PSRC Plan Review and Certification Report](#) and on the PSRC website at <https://www.psrc.org/our-work/plan-review>. Questions should be directed to Erika Harris at 206-464-6360 or [eharris@psrc.org](mailto:eharris@psrc.org).

**RESOLUTION NO. 1443(S)  
CITY OF SUMNER, WASHINGTON**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE PUGET SOUND REGIONAL COUNCIL FOR THE DESIGNATION OF THE SUMNER-PACIFIC MANUFACTURING/INDUSTRIAL CENTER AS A “REGIONAL CENTER” IN VISION 2040 AND AUTHORIZING A INTERLOCAL AGREEMENT WITH THE CITY OF PACIFIC.**

**WHEREAS**, in 2009 the City of Sumner, in partnership with the City of Pacific, after completing an extensive planning process, adopted amendments to their respective Comprehensive Plans and approved the Sumner-Pacific Manufacturing/Industrial Center (MIC) designation and in 2010 adopted implementing development regulations; and

**WHEREAS**, the Puget Sound Regional Council (PSRC) requires the MIC to be designated a candidate regional center in the Pierce County Countywide Planning Policies; and

**WHEREAS**, on June 2, 2010, the City of Sumner, in partnership with the City of Pacific, submitted application to the Pierce County Regional Council (PCRC) for amendments to the Pierce County Countywide Planning Policies for the designation of the Sumner-Pacific MIC as a “candidate regional center;” and

**WHEREAS**, on March 17, 2011, the PCRC approved amendments to the Pierce County Countywide Planning Policies to designate the Sumner-Pacific MIC as a “candidate regional center;” and

**WHEREAS**, the amendments to the Pierce County Countywide Planning Policies must be ratified by at least 60 percent of the jurisdictions representing 75% of the county population; and

**WHEREAS**, on July 24, 2013, the amendments were ratified and the Sumner-Pacific MIC became a candidate regional center in the Pierce County Countywide Planning Policies; and

**WHEREAS**, the PSRC requires the MIC to contain at least 10,000 employees prior to application for a regional center designation; and

**WHEREAS**, the Sumner-Pacific MIC reached the minimum 10,000 employee level in June 2015; and

**WHEREAS**, the PSRC requires that the City of Sumner and the City of Pacific to enter into an interlocal agreement regarding submitting the application and committing to long range planning of the area; and

**WHEREAS**, the PSRC requires that the cities of Sumner and Pacific adopt resolutions authorizing staff to submit applications for the designation of the Sumner-Pacific MIC as a “regional center” in VISION 2040; and

**WHEREAS**, having the Sumner-Pacific MIC designated as a regional center in VISION 2040 will make the area a focus for manufacturing growth and for available funding for transportation and infrastructure improvements to support the employment and economic growth in the Puget Sound region; and

WHEREAS, a regional candidate center designation for the Sumner-Pacific MIC is consistent with the City of Sumner Comprehensive Plan and economic and land use goals.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON**

**Section 1.** That city staff has the authority and direction to submit an application, in partnership with the City of Pacific, and separately if necessary, to the Puget Sound Regional Council for designation of the Sumner-Pacific Manufacturing/Industrial Center as a “regional center” in VISION 2040.

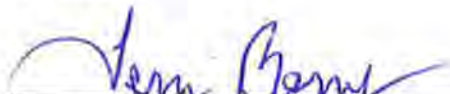
**Section 2. Authorization.** That the Mayor is authorized to execute the Interlocal Agreement with the City of Pacific, agreeing to prepare and submit an application to the Puget Sound Regional Council for designation of the Sumner-Pacific Manufacturing/Industrial Center as a “regional center” in VISION 2040. The Interlocal Agreement is hereby attached as Exhibit A and made a part hereof.

**Section 3. Effective Date.** This Resolution shall take effect and be in force immediately upon its passage.


**APPROVED AND ADOPTED** this 16<sup>th</sup> day of November, 2015.

  
\_\_\_\_\_  
Mayor David L. Enslow

**ATTEST:**

  
\_\_\_\_\_  
City Clerk Terri Berry, MMC

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney Brett C. Vinson



**INTERLOCAL AGREEMENT BETWEEN THE CITY OF  
PACIFIC AND THE CITY OF SUMNER FOR FILING A JOINT  
APPLICATION FOR A REGIONAL  
MANUFACTURING/INDUSTRIAL CENTER DESIGNATION AND  
LONG RANGE PLANNING.**

**WHEREAS**, this Agreement is entered into between the City of Sumner, a municipal corporation, hereinafter referred to as “Sumner,” and the City of Pacific, a municipal corporation, hereinafter referred to as “Pacific,” pursuant to RCW 39.34, the Interlocal Cooperation Act, for the purpose of applying for a Regional Manufacturing/Industrial Center (MIC) designation with the Puget Sound Regional Council (PRSC); and

**WHEREAS**, Sumner and Pacific completed a Manufacturing/Industrial Center study and plan in 2011 which was partially funded by a state grant of \$125,000; and

**WHEREAS**, both Sumner and Pacific have adopted amendments to their respective Comprehensive Plans to include the MIC in policy and on the comprehensive plan map; and

**WHEREAS**, Sumner and Pacific applied to Pierce County Regional Council (PCRC) for designation as a Candidate Regional Center in 2011; and

**WHEREAS**, the PCRC voted on March 17, 2011 on a recommendation for approval of amendments to the Pierce County County-wide Planning Policies designating the Sumner-Pacific MIC as a “Candidate Regional Center”; and

**WHEREAS**, the Pierce County Council approved Ordinance No. 2011-35s on August 9, 2011 approving the amendments to the Pierce County County-wide Planning Policies as recommended by the PCRC; and

**WHEREAS**, the final ratification by the required jurisdictions for amending the Pierce County County-wide Planning Policies occurred on July 23, 2013 when the City of Buckley City Council voted on Resolution No. 13-07; and

**WHEREAS**, the Sumner-Pacific MIC has a current employment level in excess of 10,000 and therefore eligible to apply for a Regional MIC designation and meets criteria set forth in VISION 2040; and

**WHEREAS**, this project would allow the cities to jointly proceed forward with addressing Growth Management Act (GMA) issues affecting their cities and developing a subarea plan for the Sumner-Pacific MIC; and

**WHEREAS**, Sumner and Pacific are aware of the importance of developing and supporting a region-wide manufacturing strategy that promotes the use and re-use of existing Manufacturing/Industrial Centers and, when necessary, the development of new centers consistent with VISION 2040; and



**WHEREAS**, Sumner and Pacific desire and recognize the need to jointly plan the Sumner-Pacific MIC to be consistent with GMA, VISION 2040, Pierce County County-wide Planning Policies, and their respective comprehensive plans; and

**WHEREAS**, Sumner and Pacific endeavor to jointly plan the Sumner-Pacific MIC and communicate and coordinate future amendments to each other's respective comprehensive plans and development regulations as they relate to the long-term vision and goals of the Sumner-Pacific MIC as a Regional MIC; and

**WHEREAS**, Sumner and Pacific desire to have the Sumner-Pacific MIC be regionally designated by the PSRC in VISION 2040 for employment growth and grant opportunities; and

**WHEREAS**, Sumner assumes lead agency responsibility for the delivery of the application and managing the process through PSRC; and

**WHEREAS**, each city agrees that their respective staff will participate in preparing the application for a Regional Center designation by providing data collection and analysis, preparing documentation and participation in meetings; and

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

**1. Purpose and Scope of Work.**

**A. PURPOSE.**

The purpose is for the cities to jointly apply for a Regional Manufacturing/Industrial Center (MIC) designation in the regional land use plan (VISION 2040) that is administered by the Puget Sound Regional Council (PSRC). Staff from the two cities will compile relevant data, review existing land use and transportation information and plans in preparation of the application.

A Regional Manufacturing/Industrial Center designation will be mutually beneficial in applying for federal transportation grants through the PSRC. This Regional MIC designation would be the culmination of years of planning efforts and benefit the cities and the region in focusing resources on growth of industry and manufacturing activities and employment in the Puget Sound region close to population centers.

The cities will coordinate and plan for long-term growth and development with common vision and goals thus protecting the environment, sustaining economic development, and assuring the health, safety, and high quality of life currently enjoyed by their residents. The Sumner-Pacific MIC is consistent with the Pierce County-wide Planning Policies, VISION 2040 and the State Growth Management Act (GMA) in that it would:

- Focus urban growth in urban areas
- Reduce sprawl
- Provide efficient transportation

- Encourage economic development
- Retain open space and habitat areas and development of recreation opportunities
- Protect the environment
- Ensure adequate public facilities and services

**B. SCOPE OF WORK.**

The project includes the completion of a joint application and process through the PSRC for a Regional MIC designation in VISION 2040; and the long-term planning of the Sumner-Pacific MIC.

**1. SUMNER'S ROLE IN THE PROJECT**

- a. Sumner shall assign a Project Manager ("PM") to manage the Project and administer the application. Sumner shall keep Pacific advised of the applications status by providing Pacific with monthly updates during the application process.
- b. Sumner shall work with Pacific, expeditiously and in good faith, to develop administrative procedures necessary to complete the application and approval process on time.
- c. Sumner shall work with Pacific, in good faith, to develop and adopt a long-term subarea plan for the Sumner-Pacific MIC over the next 2-years as required by VISION 2040.
- d. Sumner shall be responsible for the assuring completion of all phases of the application and be the primary contact with PSRC.
- e. Sumner shall be responsible for all coordination on the application, including compliance and the coordination with all affected agencies, as required.
- f. Sumner will communicate and coordinate with Pacific on any and all amendments to the Sumner Comprehensive Plan and development regulations and other planning efforts (e.g. Transportation Plan) related to the Sumner-Pacific MIC.
- g. Sumner will meet with Pacific in November of each year prior to the beginning of the annual comprehensive plan amendment cycle to: 1) review development in the Sumner-Pacific MIC over the last year; 2) discuss any amendments that may affect the Sumner-Pacific MIC; and 3) discuss potential amendments that are necessary to ensure growth and development consistent with a Regional MIC.

## **2. PACIFIC'S ROLE IN THE PROJECT**

- a. Pacific shall assign a contact person to coordinate with Sumner's PM during the application and approval process.
- b. Pacific shall work with Sumner, expeditiously and in good faith, to develop administrative procedures necessary to complete the application and approval process on time.
- c. Pacific shall work with Sumner, in good faith, to develop and adopt a long-term subarea plan for the Sumner-Pacific MIC over the next 2-years as required by VISION 2040.
- d. Pacific will communicate and coordinate with Sumner on any and all amendments to the Pacific Comprehensive Plan and development regulations and other planning efforts (e.g. Transportation Plan) related to the Sumner-Pacific MIC.
- e. Pacific will meet with Sumner in November of each year prior to the beginning of the annual comprehensive plan amendment cycle to: 1) review development in the Sumner-Pacific MIC over the last year; 2) discuss any amendments that may affect the Sumner-Pacific MIC; and 3) discuss potential amendments that are necessary to ensure growth and development consistent with a Regional MIC.

## **C. AUTHORITY.**

Nothing in this Agreement shall be interpreted as a delegation of legislative authority from one City to the other City. The parties agree that both parties must approve the final version of the joint application before it is submitted to PSRC. The parties further agree that if any comprehensive plan amendments or zoning code amendments are needed in order to facilitate the purpose of this Agreement, that each City Council shall make independent decisions on the same. The parties acknowledge that this Agreement does not allow Sumner to dictate any particular result on Pacific's legislative decision-making, or vice versa.

## **D. MISCELLANEOUS.**

1. **Funding.** Should additional funding be required, Sumner and Pacific shall discuss the need for the funding or to modify this Agreement. Any amendment of this Agreement shall be signed by the duly authorized representative of each party. The amendment(s) to this Agreement shall identify and address the authority and responsibilities associated with additional funding.
2. **Administration of Agreement.** Administration of this Agreement shall be the responsibility of each city's Mayor or his/her respective designee.

3. **Duration.** This Agreement shall be effective upon execution by each party and shall remain in full force and effect unless either party notifies the other in writing of its intent to terminate as provided in Section 4 of this Agreement.
4. **Termination.** Either party may terminate this Agreement upon sixty (60) days written notice to the other party. For the purposes hereof, the "Termination Date" shall be the sixtieth (60th) day after receipt of the termination notice, provided that upon receipt of a termination notice, all work on this Agreement shall cease, except as agreed to by the parties. Under no circumstances will either party be reimbursed for services rendered after the Termination Date.
5. **Modification.** This Agreement may be modified by further written agreement upon mutual acceptance by the duly authorized representatives of both parties.
6. **Governing Law. Applicable Law and Jurisdiction.** This Agreement shall be governed by the laws of the State of Washington.
7. **Written Notice.** All communications regarding this Agreement shall be sent to the parties at the addresses listed on the signature page of the Agreement, unless notified to the contrary. Any written notice hereunder shall become effective three (3) business days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Agreement or such other address as may be hereafter specified in writing.
8. **Hold Harmless.** Both cities are self-insured and Sumner is a member of the Washington Cities Insurance Authority (WCIA) and Pacific is a member of the Association of Washington Cities Risk Management Services Agency (RMSA). Each party to this Agreement shall defend, indemnify and hold the other party, its appointed and elected officers and employees, harmless from claims, actions, injuries, damages, losses or suits including attorney fees, arising or alleged to have arisen directly or indirectly out of or in consequence of the performance of this Agreement to the extent caused by the fault or negligence of the indemnitor, its appointed or elected officials, employees, officers, agents, assigns, volunteers or representatives.
9. **Non-Discrimination.** Parties shall not discriminate in any manner related to this Agreement on the basis of race, color, national origin, sex, religion, age, marital status or disability in employment or the provision of services.
10. **Severability.** If any provision of the Agreement shall be held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to serve the purposes and objectives of both parties.
11. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**CITY OF PACIFIC**

\_\_\_\_\_  
Leanne Guier, Mayor

\_\_\_\_\_  
Richard Gould

**ATTEST:**

\_\_\_\_\_  
City Clerk Corrine Wildoner,


**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney Carol Morris

**Address:**  
City of Pacific  
100 3rd Ave SE  
Pacific, WA 98047

**CITY OF SUMNER**

  
\_\_\_\_\_  
Mayor David Enslow

  
\_\_\_\_\_  
City Administrator John Galle

**ATTEST:**

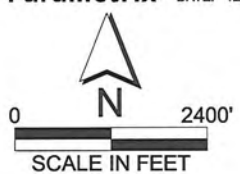
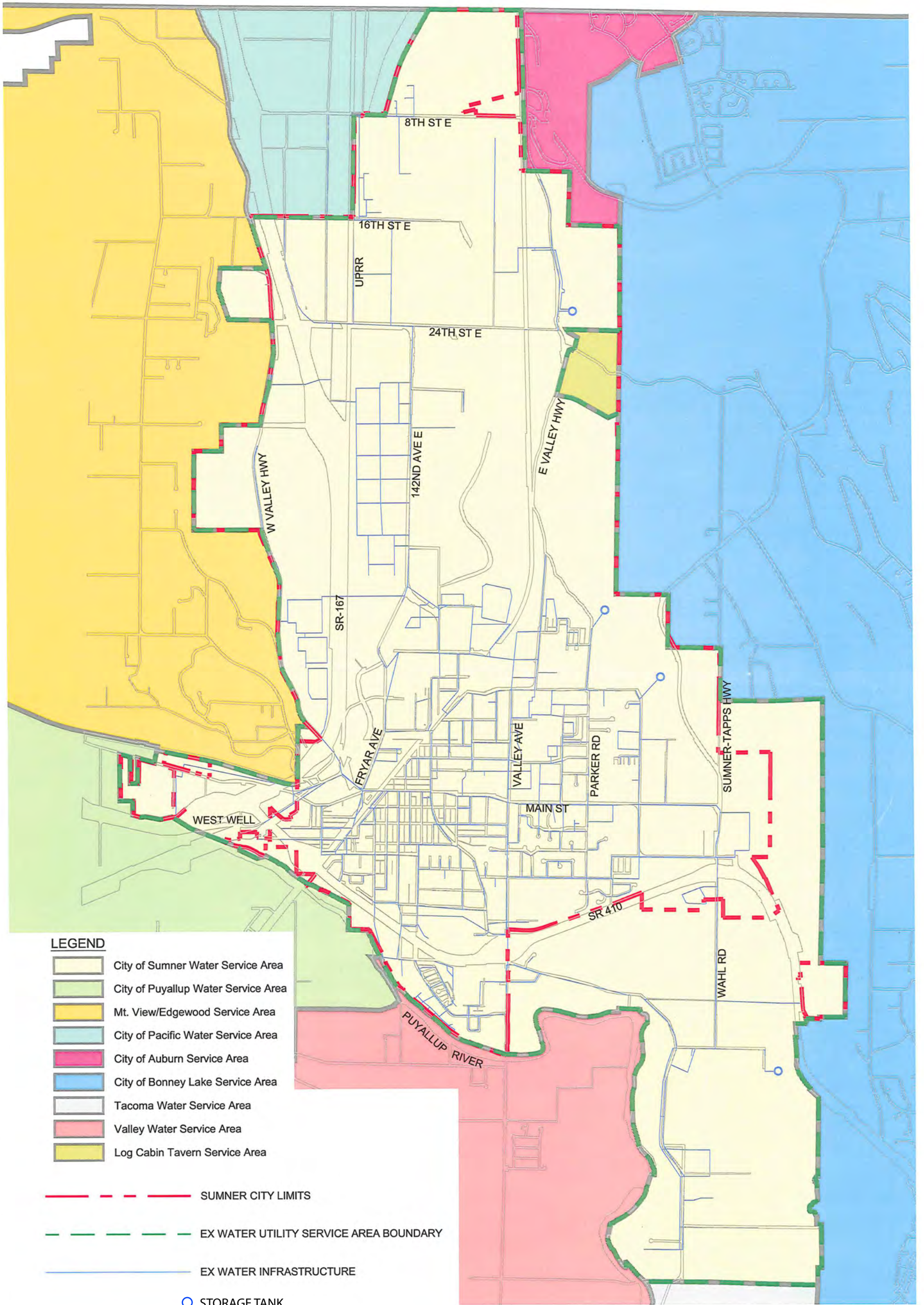
  
\_\_\_\_\_  
City Clerk Terri Berry

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney Brett C. Vinson

**Address:**  
City of Sumner  
1104 Maple Street, Suite 200  
Sumner, WA 98390





**Figure 1-1  
City of Sumner  
Existing Water Utility Service  
Area Boundary and Infrastructure**



**RESOLUTION NO. 1599  
CITY OF SUMNER, WASHINGTON**

**A RESOLUTION OF THE CITY OF SUMNER, WASHINGTON, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SUMNER AND THE CITY OF PACIFIC FOR THE EXTENSION OF WATER AND STORM UTILITY SERVICES INTO THE CITY OF PACIFIC.**

**WHEREAS**, the City of Sumner and the City of Pacific seek to enter into an interlocal agreement enabling the City of Sumner to modify its water and sewer service areas and extend utilities into the City of Pacific, King County and Pacific’s service area to provide utility services to a currently landlocked parcel unable to be reasonably served by the City of Pacific utilities; and

**WHEREAS**, the City Council has determined it to be in the best interest of the City of Sumner and the City of Pacific to enter into said interlocal agreement; and

**WHEREAS**, the City of Sumner is authorized, pursuant to Chapter 39.34 RCW, Interlocal Cooperation Act, to enter into such agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON:**

**Section 1. Authorization.** That the City Council hereby approves the Interlocal Agreement between the City of Sumner and the City of Pacific for the purpose of water and sewer utilities services extension, a copy of which is attached and incorporated by reference, and authorizes the Mayor to sign said agreement on behalf of the City of Sumner substantially in a form as approved by the City Attorney.

**Section 2. Corrections by City Clerk or Code Reviser.** Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this resolution, including but not limited to the correction of clerical errors; or references to other local, state, or federal laws, codes, rules, or regulations.

**Section 3. Effective Date.** This resolution shall take effect and be in force immediately upon passage by the City Council.

**ADOPTED AND APPROVED** this 15th day of November, 2021.

DocuSigned by:  
*William L. Pugh*  
65C9B3CE54AB46F...  
William L. Pugh, Mayor

Approved to as form:  
DocuSigned by:  
*Andrea Marquez*  
20517410A6DD49A...  
Andrea Marquez, City Attorney

Attest:  
DocuSigned by:  
*Michelle Converse*  
9BA22DE678404D1...  
Michelle Converse, City Clerk

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF PACIFIC AND THE CITY OF SUMNER  
FOR SANITARY SEWER, WATER, AND STORMWATER SERVICES**

THIS INTERLOCAL AGREEMENT (“Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the City of Pacific, a municipal corporation of the State of Washington (“Pacific”) and the City of Sumner, a municipal corporation of the State of Washington (“Sumner”) (collectively “Parties” or individually a “Party”) for the purposes set forth herein.

**RECITALS**

WHEREAS, Sumner is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Pacific is a non-charter optional municipal code city incorporated under the laws of the State of Washington, with authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and for other lawful purposes; and

WHEREAS, Burr W. Mosby owns real property located at 5621 A St SE and 5635 A St SE within the City limits of Pacific, in the State of Washington, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, attached hereto and incorporated by reference (“Mosby Property”).

WHEREAS, the Mosby Property is within the public works service area of the City of Pacific, but the nearest connection to Pacific’s facilities available to the Mosby Property would require an extension under (or over) the White River, including critical area(s) and shoreline; and

WHEREAS, SeaPort-Land LLC, A Washington limited liability company, owns real property directly adjacent to the Mosby property and within the City limits of Sumner (“Tarragon Property”) and has agreed to allow the Mosby property to connect to Sumner facilities through the Tarragon Property; and

WHEREAS, Sumner’s Public Works Department provides sanitary sewer, municipal water, and stormwater services within Sumner’s utility service areas and is willing to, and capable of providing the Mosby Property with sanitary sewer, municipal water, and stormwater services; and

WHEREAS, based on the potential construction impacts to critical areas and the substantial costs associated with a proposed connection between the Mosby Property and Pacific’s utility infrastructure, it is economically and technologically inefficient for Pacific to provide sanitary sewer service to the Mosby Property; and

WHEREAS, both Sumner and Pacific strive to provide the most efficient means of providing sanitary sewer, water, and stormwater services to their residents and ratepayers; and

WHEREAS, pursuant to RCW 35.92.170 and 35.67.310, a code city may permit a connection with its water or sanitary sewer services beyond its corporate limits on terms and conditions as may be prescribed by ordinance, and evidenced by an agreement between the city and owner; and

WHEREAS, the owner of the Mosby Property has stated an interest in connecting to Sumner's facilities; and

WHEREAS, the Parties agree that Sumner would be best able to provide sanitary sewer, water, and stormwater services for the Mosby Property; and

WHEREAS, the Interlocal Cooperation Act, RCW 39.34 authorizes municipalities to contract with each other for the provision of local government services; and

WHEREAS, the City of Pacific approved a Comprehensive Plan land use map amendment, rezoning designating the Mosby Property from Open Space to Light Industrial (LI) with a Manufacturing Industrial Center (MIC) Overlay zone. The amendment is set forth in Exhibit 2 attached hereto and made a part of as though fully set forth at length; and

WHEREAS, changes to water and sewer service areas are subject to review by the Washington State Department of Health under chapter 70A.100 RCW, and prior to this Agreement's entry into force, changes to Sumner's and Pacific's water service area must be approved by the Washington State Department of Health and any other entity with jurisdiction.

WHEREAS, the extension of water or sewer facilities outside of the boundaries of a city, and the reduction of a service area are both subject to review by the Boundary Review Board under chapter 36.93 RCW, and prior to entry into force this Agreement must be approved by both the Pierce and King County Boundary Review Boards.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the terms and condition herein, the Parties agree as follows:

1. **Recitals.** The recitals set forth above are hereby incorporated into this Agreement

2. **Provision of Services.**

A. The purpose of this Agreement is to provide for sanitary sewer, water, and stormwater services to the Mosby Property through connection to Sumner's facilities.

B. Pacific authorizes Sumner to provide sanitary sewer, water, and stormwater services for the Mosby Property, identified as King County Tax Parcel Nos. 362104-9016 and 362104-9077, and as legally described as set forth on Exhibit 1, located within Pacific's corporate boundaries.

C. Sumner agrees to do all things necessary and/or appropriate to provide sanitary sewer, water, and stormwater services for the Mosby Property located within Pacific's jurisdiction, including but not limited to the procurement of any necessary approvals for the extension of services into the City of Pacific and King County, Washington to provide these services.

D. Pacific agrees to do all things necessary and/or appropriate to remove the Mosby Property from its service area so as to enable Sumner to provide services, including but not limited to receiving any necessary permissions from the King County Boundary Review Board.

E. As the designated provider of public works services, Sumner shall process all permits and approvals required for sanitary sewer, water, and stormwater service connection and/or operation, and shall be entitled to all system development costs and other fees associated with the development of the Mosby Property.

F. The Mosby Property shall at all times and in perpetuity be a Sumner sanitary sewer, water, and stormwater customer and subject to Sumner's rates and charges, including connection charges. Sumner shall bill the Mosby Property directly for services.

3. **Water System Plans.** Sumner and Pacific shall amend their respective Water System Plans to reflect the change in service area. Sumner and Pacific will both obtain approval of the amended plans from the Pierce and King County Utilities Technical Review Committee, respectively, and Washington State Department of Health. No connection to facilities shall commence prior to this approval.

4. **Boundary Review.** Sumner and Pacific will obtain approval of the service area changes from both the King County Boundary Review Board and Pierce County Boundary Review Board. No connection to facilities shall commence prior to this approval.

5. **Indemnification.**

Sumner shall indemnify, defend and hold harmless Pacific, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert



witness fees) arising or growing out of or in connection with or related to, either directly or indirectly the connection to, and provision of sanitary sewer service to the Mosby Property, except to the extent such claims arise from the sole or partial negligence, error or omissions of Pacific, its employees, servants, and agents. Sumner agrees that its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Sumner, by mutual negotiation, hereby waives, as respects Pacific, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Pacific incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Sumner.

Pacific shall indemnify, defend and hold harmless Sumner, its employees, servants, and agents from any and all claims, demands, suits, actions, damages, recoveries, judgments, costs, or expenses (including without limitation, attorneys' and expert witness fees) arising or growing out of Pacific's sole or partial negligence, in carrying out its obligations herein. Pacific agrees that this its obligations under this subparagraph extend to any claim, demand and/or cause of action brought by or, or on behalf of, any of its employees or agents. For this purpose, Pacific, by mutual negotiation, hereby waives, as respects Sumner, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW. In the event Sumner incurs any judgment, award, and/or cost arising therefrom including attorneys' fees to enforce the provisions of this article, all such fees, expenses, and costs shall be recoverable from Pacific.

6. **Property and Financing.** No joint property is being acquired by the parties to this Agreement. No joint financing of any purchase, improvement, or activity is provided for in this Agreement and all construction shall be accomplished at no cost and expense to the City of Sumner.
7. **Compliance with Law.** Nothing in this Agreement shall be construed as excusing a Party from compliance with any applicable federal, state, or local laws and regulations. All such requirements and regulations are hereby made a condition of this Agreement. Violation of any such requirement or regulation shall constitute a breach of this Agreement by either Party.
8. **Binding on Successors.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties.
9. **Governing Law and Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. The venue of any action brought arising out of this Agreement shall be King County Superior Court, Washington.

10. **Legal Review.** This Agreement has been reviewed and revised by legal counsel for all parties and no presumption or rule that ambiguity shall be construed against the party drafting the document shall apply to the interpretation or enforcement of this Agreement. These parties intend this Agreement to be interpreted to the full extent authorized by applicable law.
11. **No Third Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.
12. **Authority to Enter Agreement.** Each party represents and warrants that it has the full authority to enter into this Agreement, and that the individual executing this Agreement on its behalf is authorized to do so.
13. **Entire Agreement.** This Agreement represents the entire Agreement between the parties with respect to the subject matter hereof, and supersedes any prior agreements or understandings, written or oral, between the parties. Any agreement or modification of the terms and conditions of this Agreement shall be pursuant to a written document signed by both parties.
14. **Execution.** This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all counterparts together shall constitute by tone and the same instrument.
15. **Recording and Retention.** A copy of this Agreement shall be filed with the Sumner and Pacific City Clerks and, Pacific shall record a copy with the King County Auditor.
16. **Effective Date and Termination.** This Agreement shall be effective upon execution by both parties. The Agreement shall have no termination date and remain in effect unless terminated by either party by 180 days prior written notice to the other party.
17. **Notices.** All notices required under this Agreement shall be deemed sufficient if sent in writing by U.S. Mail or by electronic mail. All notices shall be delivered to the following addresses or to any other or additional addresses as may be specified from time to time by notice to either party. Notices shall be deemed received on the day sent electronically or 3 business days after the notice is placed in the U.S. Mail.

Sumner:           Mike Dahlem  
                      Public Works Director  
                      City of Sumner  
                      1104 Maple St.  
                      Sumner, WA 98390

With a copy to: Sumner City Attorney

Pacific: Jim Morgan  
Public Works Director  
City of Pacific  
100 3rd Avenue SE  
Pacific, WA 98047

With a copy to: Pacific City Attorney

IN WITNESS WHEREOF, each of the parties has executed this Agreement by having its authorized representative affix his/her name in the appropriate space below:

CITY OF PACIFIC


CITY OF SUMNER

Name:  
Title:

Date: \_\_\_\_\_

Attested to:

Name:  
Title:

DocuSigned by:  
  
65C9B3CE54AB46F...  
Name: William L. Pugh  
Title: Mayor

Date: 11/16/2021 | 6:11 PM PST

Attested to:

DocuSigned by:  
  
9BA22DE678404D1...  
Name: Michelle Converse  
Title: City Clerk