

2. INTRODUCTION

The City of Puyallup is preparing this EIS under SEPA for the proposed Project. The Applicant proposes to construct and operate a warehouse complex of up to 2.6 million square feet of building area in seven buildings on the approximate 188-acre Knutson Farm property located within unincorporated Pierce County. This chapter describes the Project history, summarizes the SEPA environmental review process, and provides an outline of organization of the EIS.

2.1 Project History

Initial land use permit applications for the proposed Project were submitted by the Applicant to Pierce County in 2014 and later revised in 2016. In June 2016, the City proposed that Pierce County and the City jointly prepare an EIS for the Project, but the proposal was rejected by the County. On April 26, 2017, Pierce County issued a Mitigated Determination of Non-Significance (MDNS) with a determination that an EIS was not required if specified conditions were met (Pierce County Permit #792210). Given the number of unaddressed concerns about the proposal and location within the City's UGA, the City did not accept the County's MDNS, and pursuant to SEPA on May 10, 2017, issued a Notice of Assumption of Lead Agency Status and a Determination of Significance (DS) with a request for comments on the scope of the EIS. When the County and the Applicant refused to honor the City DS and Assumption of Lead Agency Status, the City filed suit in Thurston County Superior Court. The Superior Court ruled for the County and the Applicant. The City appealed to the Court of Appeals to reverse the Superior Court ruling. On April 3, 2019, the Court of Appeals issued a unanimous decision to reverse the Superior Court ruling in favor of the City. The Court of Appeals concluded that the City is an "agency with jurisdiction" over the Project and is authorized to assume lead agency status, a decision that the Washington Supreme Court later refused to overturn. This EIS is being prepared pursuant to the City's DS.

Before the Court of Appeals' unanimous decision upholding the City's right to require an EIS, the City and the Puyallup Tribe of Indians appealed the County MDNS to the County Hearing Examiner. The County's Hearing Examiner conducted an appeal hearing in July 2018 on the MDNS as well as a hearing on the underlying preliminary short plat application. The Puyallup Tribe of Indians withdrew their appeal while the Hearing Examiner proceeding was pending. In November 2018, the Pierce County Hearing Examiner issued decisions denying the City's MDNS appeal and approving the preliminary short plat imposing several modified mitigation measures. However, as stated previously, the Hearing Examiner's decisions were issued without the benefit of an EIS. The City therefore appealed them in Pierce County Superior Court. The City sought to have that appeal stayed until the EIS had been finally issued and the matter was back before the Hearing Examiner. The County and the Applicant sought to have certain issues that had been resolved by the Hearing Examiner litigated in superior court without delay, characterizing them as non-environmental. On review, the Court of Appeals agreed that nonenvironmental issues could be considered and resolved in superior court before issuance of the EIS and without fresh review by the Hearing Examiner. The superior court subsequently conducted that review and on October 18, 2023 denied Puyallup's Land Use Petition Act (LUPA) petition challenging discrete aspects of the November 21, 2018 Pierce County Hearing Examiner Decision.

Meanwhile, on November 17, 2020, to move the Draft EIS preparation process forward, the City of Puyallup issued a "Second Notice" requesting further comments on the scope of a previously issued DS and after receipt of comments began preparation of this EIS (Appendix A, SEPA Register #202005873).

2.2 Regulatory and Policy Context

The Project site is located within unincorporated Pierce County, in the City of Puyallup's UGA and identified as a Potential Annexation Area; consistent with the GMA, the UGA is expected to annex and develop under designated policies and future land development and growth scenarios consistent with the affected city's Comprehensive Plan. In this case, the development is subject to the policies in both agencies' Comprehensive Plans (Pierce County and City of Puyallup); analysis in this EIS subjects the proposed development to analysis of consistency with both Plans. The Project is subject to Pierce County Code and in most cases is not subject to the City of Puyallup Code, as it relates to private property outside the city limits. In some cases, where the Project is served by and is impacting city municipal services (such as sewer, roads, and water), portions of the city municipal code, city standards, and other plans (such as utility comprehensive plans) apply to the Project. In relation to state highway system impacted by the Project (State Route [SR] 512, SR 410, SR 167, SR 162), the standards of the Washington State Department of Transportation (WSDOT) also apply to the Project. Other private utilities also have relevant standards and comprehensive plans that the Project must comply with substantially. The Project is served by the following utilities and agencies:

- Public roadways: Pierce County, City of Puyallup, WSDOT
- Sanitary sewer: City of Puyallup
- Domestic water: Valley Water District, City of Puyallup
- Electricity, natural gas: Puget Sound Energy
- Police services: Pierce County Sheriff's Department (PCSD))
- Fire Protection: East Pierce Fire and Rescue

2.3 Summary of the Environmental Review Process

2.3.1 EIS Scoping Process

The first step in the development of an EIS is called scoping. During the scoping process, agencies, tribes, local communities, organizations, and the public are invited to comment on factors that should be analyzed and considered in the EIS. Specifically, the process is intended to collect input on a reasonable range of alternatives; potentially affected resources and extent of analysis to determine impacts; measures to avoid, minimize, and mitigate impacts of the proposal; and cumulative impacts.

The City of Puyallup issued a DS on the proposed development on May 10, 2017. Preparation of an EIS was delayed due to appeals (subsequently withdrawn) of the DS by Pierce County and the Applicant, as well as litigation (now resolved) concerning the City's authority to issue a DS. Recognizing that significant time had passed since the initial scoping notice, the City issued a second notice of the 2017 DS on November 17, 2020, to invite the public, tribal governments, and agencies to renew and/or update comments on the scope of the EIS. An extended 30-day scoping comment period was issued for this Project to give the public additional time to provide comments. The scoping process was documented in the Knutson Farms Industrial Park Environmental Impact Statement Scoping Summary Report (Appendix A).

The City notified key stakeholders, interested parties, agencies, and the general public of the DS, the scoping comment period, and the ways in which they could provide comments using a variety of communication tools. Notifications included:

- Tacoma News Tribune Legal Notice (November 18, 2020)
- Email Listserv (November 17, 2020)
- Mailed notice to property owners within 500 feet of the Project site (November 23, 2020)
- City website (<https://www.cityofpuyallup.org/1115/Puyallup-Valley-Warehouse-Development>)
- Project website (online open house; <https://www.knutsonfarmseis.org>) launched on November 17, 2020
- Social media posts (Facebook; November 17 and 23; December 8 and 15, 2020)

The key issues identified during scoping and a summary of the scoping process are documented in the Knutson Farms Industrial Park Environmental Impact Statement Scoping Summary Report (Appendix A). Key comment topics received during scoping included the Project objective; Project description; alternatives; geology/soils; surface water; groundwater; plants and animals; land use; recreation and aesthetics; air quality and greenhouse gases; transportation; health and safety; public services and utilities; cultural resources; noise; social elements; mitigation; and permitting. The comments received were used in developing the scope of the analysis of this EIS.

2.3.2 Draft EIS Preparation, Publication and Review

A Draft EIS is prepared using the results of the scoping process. The purpose of an EIS is to provide an impartial discussion of significant environmental impacts and reasonable alternatives and mitigation measures to avoid or minimize adverse environmental impacts. The information in this Draft EIS is provided for review and comment by interested parties and will also be used by Pierce County and the City of Puyallup to evaluate the proposed Project. The environmental information provided in the EIS is used by agency officials—in conjunction with applicable regulations and other relevant information—to make decisions to approve, condition, or deny the proposal.

The City of Puyallup will seek comments on the Draft EIS from agencies, tribes, local communities, organizations, and the public during a 90-day comment period from December 14, 2023 to March 14, 2024. During the comment period, public meetings will be held January 11, 2024 and January 17, 2024. Comments will also be accepted by means of a U.S. Post Office box, in person via the City of Puyallup, by attending a public meeting, at an online open house (which will include an online comment submittal feature), and via e-mail and voicemail. Comments received during the comment period will be addressed in the Final EIS. The distribution list for the Draft EIS is provided in Appendix B.

2.3.3 Final EIS Publication

Following the comment period, the City of Puyallup will issue the Final EIS. The Final EIS will address comments received during the comment period, identify final mitigation measures, and may include additional information and input received from the Applicant, other agencies with jurisdiction or concern, tribes, and the public regarding the proposed Project.

2.4 Document Organization

This EIS contains the following chapters:

- Chapter 1 – EIS Summary, provides a summary of the main issues pertinent to the EIS.
- Chapter 2 – Introduction, provides an overview of the Project history and describes the environmental review process.
- Chapter 3 – Project Description, describes the No Action Alternative, other alternatives considered, and the proposed Project, including details on Project construction and operation.
- Chapter 4 – Environmental Analysis, describes the analysis of potential impacts associated with the No Action Alternative, the proposed Project, Alternative 1 and Alternative 2. Chapter 4 is divided into 13 sub-chapters that address specific environmental resource topics. For each topic, the chapter explains the methodology used to analyze impacts, the existing conditions of the affected environment, the potential impacts associated with the alternatives, and any proposed mitigation.
- Chapter 5 – Cumulative Impacts, describes the potential cumulative impacts associated with the Project.
- Chapter 6 – References, provides a list of the literature cited throughout this EIS.