

## Tami Merriman

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**From:** Shaun Dinubilo <sdinubilo@squaxin.us>  
**Sent:** Tuesday, January 18, 2022 8:59 AM  
**To:** Tami Merriman  
**Subject:** RE: NOA - Three Lakes Crossing

Hello Tami,

Thank you for contacting the Squaxin Island Tribe Cultural Resources Department regarding the above listed project for our review and comment. The project area has a high potential for the location of cultural resources. We recommend a cultural resources survey and report be completed for this project. We would prefer to receive an electronic copy by email once completed.



Shaun Dinubilo  
Archaeologist  
Cultural Resource Department  
Squaxin Island Tribe  
200 S.E. Billy Frank Jr. Way  
Shelton, WA 98584  
Office Phone: 360-432-3998  
Cell Phone: 360-870-6324  
Email: [sdinubilo@squaxin.us](mailto:sdinubilo@squaxin.us)

Email is my preferred method of communication.

As per 43 CFR 7.18[a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Public Records Act-Archaeological Sites, all information concerning the location, character, and ownership of any cultural resource must be withheld from public disclosure.

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**From:** Kelly Wallace <KWallace@ci.tumwater.wa.us>  
**Sent:** Friday, January 14, 2022 3:09 PM  
**Subject:** NOA - Three Lakes Crossing

Please see attached.

**Kelly Wallace, CPT** | Permit & Planning Technician  
City of Tumwater, Community Development  
555 Israel Rd SW | Tumwater, WA 98501  
(360) 754-4180  
[KWallace@ci.tumwater.wa.us](mailto:KWallace@ci.tumwater.wa.us) | [www.ci.tumwater.wa.us](http://www.ci.tumwater.wa.us)



**Nisqually Indian Tribe  
Tribal Historic Preservation Office  
4820 She-Nah-Num Dr. S.E.  
Olympia, WA 98513  
(360) 456-5221**

January 20, 2022

To: Tami Merriman, Permit Manager  
City of Tumwater  
Community Development Department  
555 Israel Road SW  
Tumwater, WA 98501

**Re: TUM-21-1895 and TUM-22-0036**

The Nisqually Indian Tribe's THPO has reviewed the notice of application that you provided for the above named project and requests that a cultural resources survey be required as a condition of permitting.

The Deschutes River basin and the lands surrounding Three Lakes Crossing have been used by the Medicine Creek Treaty Tribes since time immemorial as evidenced by several archaeological sites in the vicinity.

Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Brad Beach, THPO  
Nisqually Indian Tribe  
360-456-5221 ext 1277  
[beach.brad@nisqually-nsn.gov](mailto:beach.brad@nisqually-nsn.gov)

cc: Annette Bullchild, Director, Nisqually Indian Tribe

## Alex Baruch

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**From:** Tami Merriman  
**Sent:** Tuesday, January 25, 2022 8:33 AM  
**To:** Alex Baruch  
**Subject:** FW: NOTICE OF APPLICATION Three Lakes Crossing TUM-21-1895 and TUM-22-0036

**Tami Merriman** | Permit Manager  
City of Tumwater Community Development  
555 Israel Rd SW | Tumwater, WA 98501  
(360) 754-4180 | [TMerriman@ci.tumwater.wa.us](mailto:TMerriman@ci.tumwater.wa.us)  
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**From:** bryon Agan <[bryonagan@yahoo.com](mailto:bryonagan@yahoo.com)>  
**Sent:** Tuesday, January 25, 2022 8:32 AM  
**To:** Tami Merriman <[TMerriman@ci.tumwater.wa.us](mailto:TMerriman@ci.tumwater.wa.us)>  
**Subject:** NOTICE OF APPLICATION Three Lakes Crossing TUM-21-1895 and TUM-22-0036

Merriman,  
I have specific concerns that this development will create unsafe traffic challenges on Henderson Boulevard at the existing 68th avenue. This intersection is almost impossible to get out of and is unsafe. It is also unsafe for pedestrians to cross Henderson. The sight distance at 68th due to the curvature on Henderson makes it unsafe for pedestrian including kids along with vehicular access. The added 450 cars on Henderson will create unacceptable traffic delay. along with unsafe intersection for vehicles and safety hazardous for all users including bikes. The city and developer needs to address traffic capacity and safety coming out of existing 68th for vehicle, pedestrian and bike access to Henderson.

Sincerely  
Bryon Agan

## Alex Baruch

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**From:** Alex Baruch  
**Sent:** Thursday, January 27, 2022 5:05 PM  
**To:** 'bryon Agan'  
**Cc:** Tami Merriman  
**Subject:** RE: NOTICE OF APPLICATION Three Lakes Crossing TUM-21-1895 and TUM-22-0036

Good afternoon Bryon,

Thank you for the additional questions. I have routed the transportation questions to our Engineering and Transportation department staff for a response.

My basic understanding is that during the Crestmoor Park development proposal a decision was made not to extend Dennis St to Henderson due to the wetlands located in this area. Instead, Crestmoor Park was proposed to connect Tumwater Blvd to Henderson when this property was proposed to be developed in the future which is what we are seeing proposed now with Three Lakes Crossing plat.

The files are quite large to send via email so I have setup a [link](#) where you will be able to find all of the documents that we currently have on file for this project. I also included one of the site development pages showing the Crestmoor Park project for your reference. I will continue to put documents in that folder over the course of the project as we receive more information moving forward and would be happy to discuss the project further if you have other questions.

Sincerely,

**Alex Baruch | he/him**  
**Associate Planner**, Community Development  
City of Tumwater  
555 Israel Rd SW | Tumwater, WA 98501  
(360) 754-4180 | [ABaruch@ci.tumwater.wa.us](mailto:ABaruch@ci.tumwater.wa.us)  
[www.ci.tumwater.wa.us](http://www.ci.tumwater.wa.us)

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**From:** bryon Agan <bryonagan@yahoo.com>  
**Sent:** Thursday, January 27, 2022 6:39 AM  
**To:** Alex Baruch <ABaruch@ci.tumwater.wa.us>  
**Cc:** Tami Merriman <TMerriman@ci.tumwater.wa.us>  
**Subject:** Re: NOTICE OF APPLICATION Three Lakes Crossing TUM-21-1895 and TUM-22-0036

Alex,  
Please require the developer to conduct a traffic and safety analysis of existing 68th Ave. Also why is the developer being allowed to construct a new access to Henderson instead of completing the connection of Dennis to Henderson on their north property boundary with their access off of Dennis. I would like to be on the list to receive all notifications and would also like to request to see all documents that are submitted throughout the project duration.

Thanks  
Bryon Agan, PE

On Tuesday, January 25, 2022, 10:12:22 AM PST, Alex Baruch <[abaruch@ci.tumwater.wa.us](mailto:abaruch@ci.tumwater.wa.us)> wrote:

Good morning Bryon,

I hope you are having a good day. The application is in the process of being reviewed for traffic considerations through the SEPA and Transportation Concurrency applications that were recently submitted. If you are within 300 ft of the development you will be notified of the SEPA determination once it is issued. We will be sure to pass along your comments to the developer. Any mitigation that is required of the development for traffic safety will be required as a condition of the SEPA and will need to be built or mitigated as a part of this development. Please let us know if you have any further questions and we will be happy to help.

Sincerely,

**Alex Baruch | he/him**

**Associate Planner**, Community Development

City of Tumwater

555 Israel Rd SW | Tumwater, WA 98501

(360) 754-4180 | [ABaruch@ci.tumwater.wa.us](mailto:ABaruch@ci.tumwater.wa.us)

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**From:** bryon Agan < >

**Sent:** Tuesday, January 25, 2022 8:32 AM

**To:** Tami Merriman <[TMerriman@ci.tumwater.wa.us](mailto:TMerriman@ci.tumwater.wa.us)>

**Subject:** NOTICE OF APPLICATION Three Lakes Crossing TUM-21-1895 and TUM-22-0036

Merriman,

I have specific concerns that this development will create unsafe traffic challenges on Henderson Boulevard at the existing 68th avenue. This intersection is almost impossible to get out of and is unsafe. It is also unsafe for pedestrians to cross Henderson. The sight distance at 68th due to the curvature on Henderson makes it unsafe for pedestrian including kids along with vehicular access. The added 450 cars on Henderson will create unacceptable traffic delay. along with unsafe intersection for vehicles and safety hazardous for all users including bikes. The city and developer needs to address traffic capacity and safety coming out of existing 68th for vehicle, pedestrian and bike access to Henderson.

Sincerely

Bryon Agan

## Alex Baruch

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**From:** Alex Baruch  
**Sent:** Thursday, February 3, 2022 4:41 PM  
**To:** 'Evan Mann'  
**Cc:** Tami Merriman; Mike Matlock; Kurt Wilson  
**Subject:** RE: TUM-21-1895 and TUM-22-0036 Three Lakes Crossing Notice of Application Comments  
**Attachments:** Habitat for Humanity Cultural Resource Survey 10-18-2021.pdf

Good afternoon Evan,

Thank you for your quick response. We sent the traffic impact analysis to the community member and replied to their other comments about Dennis St. I think their concerns have been addressed and will coordinate with you if any additional comments are submitted.

I have attached a recent cultural resources study that was requested by the Squaxin Indian Tribe for the Habitat for Humanity project down the road from this plat. Additionally, looking at the WISSARD map on the DAHP website the predictive model for Environmental Factors with Archaeological Resources Results shows this area as “survey highly advised” and a “very high risk area”. I could not find cultural survey documentation for the Shin Plat (preliminary plat approval 2007) or Tumwater Blvd Plat (preliminary plat approval 2018) in the project files, but I also did not see comment from any tribes responding to the application notification at that time. The tribe has been more involved with land use project review over the last few years and have been commenting on the vast majority of notice of applications that have been sent out. It is our opinion that the cultural resource survey should be completed prior to moving forward with the SEPA determination so we are better able to address section 13 of the SEPA checklist and provide the survey to the tribes for review and comment.

At this time staff is still reviewing the application materials and will let you know of any comments as soon as they are available.

Sincerely,

**Alex Baruch | he/him**  
**Associate Planner**, Community Development  
City of Tumwater  
555 Israel Rd SW | Tumwater, WA 98501  
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**From:** Evan Mann <[evan@soundbuilthomes.com](mailto:evan@soundbuilthomes.com)>  
**Sent:** Thursday, February 3, 2022 3:13 PM  
**To:** Alex Baruch <[ABaruch@ci.tumwater.wa.us](mailto:ABaruch@ci.tumwater.wa.us)>  
**Cc:** Tami Merriman <[TMerriman@ci.tumwater.wa.us](mailto:TMerriman@ci.tumwater.wa.us)>; Mike Matlock <[MMatlock@ci.tumwater.wa.us](mailto:MMatlock@ci.tumwater.wa.us)>; Kurt Wilson <[kurt@soundbuilthomes.com](mailto:kurt@soundbuilthomes.com)>  
**Subject:** RE: TUM-21-1895 and TUM-22-0036 Three Lakes Crossing Notice of Application Comments

Hi Alex,  
Thanks for the comments. I believe we provided a full Traffic Impact Analysis that addresses traffic concerns for the neighbor.

As for the tribal requests, was a Cultural Resource Survey complete for the neighboring developments? Shin Plat or Tumwater Boulevard Plat? If so, can you provide a copy? If not, why would this project be considered to have any more potential for cultural resource impacts than the neighboring properties. While we are not able to make a public records request to the tribe as to why they are requiring the study, it seems at least they can provide some additional context as to why this application is subject to a study. We typically proceed with the understanding that if there are any inadvertent discoveries they would be documented with the tribes. This can be a very costly and time-consuming study so we just need to make sure that this approach is absolutely necessary.

Any other review comments from staff?

Thank you,

**Evan Mann**  
**SoundBuilt Homes**  
PO BOX 73790  
Puyallup, WA 98373  
Cell: 253.820.7835  
[evan@soundbuilthomes.com](mailto:evan@soundbuilthomes.com)

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**From:** Alex Baruch <[ABaruch@ci.tumwater.wa.us](mailto:ABaruch@ci.tumwater.wa.us)>  
**Sent:** Thursday, February 3, 2022 3:00 PM  
**To:** Evan Mann <[evan@soundbuilthomes.com](mailto:evan@soundbuilthomes.com)>  
**Cc:** Tami Merriman <[TMerriman@ci.tumwater.wa.us](mailto:TMerriman@ci.tumwater.wa.us)>; Mike Matlock <[MMatlock@ci.tumwater.wa.us](mailto:MMatlock@ci.tumwater.wa.us)>  
**Subject:** TUM-21-1895 and TUM-22-0036 Three Lakes Crossing Notice of Application Comments

Good afternoon Evan,

I hope you are doing well. The comment period for the notice of application ended yesterday and I wanted to provide you with comment we received during that time. The comments from the Squaxin and Nisqually Indian Tribes should be addressed before we move forward with the SEPA determination as they are asking for a cultural resource survey to be completed. By completing the cultural resource survey prior to moving forward with the SEPA determination we will be better able to address section 13 of the SEPA checklist and provide the survey to the Tribes for review and comment. Lastly, there was another community member that had a question about some of the traffic impacts to Henderson Blvd. which I believe we have addressed via email but if you would like to provide any clarification I'd be happy to facilitate passing that information along. Please let us know if you have any questions and how you plan to move forward with the cultural resource study.

Sincerely,

**Alex Baruch | he/him**  
**Associate Planner**, Community Development  
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## Alex Baruch

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**From:** R Kondrat <robert.kondrat@outlook.com>  
**Sent:** Tuesday, February 15, 2022 9:48 PM  
**To:** Tami Merriman  
**Subject:** Re: Three Lakes Crossing public comments

Dear Ms Merriman,

Thank you for sending all of the records related to the Three Lakes Crossing proposed subdivision.

I understand that there is a need for housing and that property owners have the right to seek approval to subdivide and develop their land. Before approving this proposed subdivision, I urge you to provide adequate notice to additional residents of the surrounding area (see below). I believe that you should require a more robust environmental assessment and analysis of the traffic impacts of this large project on residents of this area.

I have spoken with many of the more than two dozen residents in our tight-knit Monaco Park neighborhood about the rapid string of new developments that are adjacent to our subdivision, which has been part of our community for about 30 years. Over those decades, we have contributed to making Tumwater a great community to live in. My neighbors and I have serious concerns about approving another new subdivision that will add as many as 120 persons, before we know the impact of three other subdivisions nearby (see below).

As an attorney, I believe that city planners should thoughtfully carry out their legal obligation to uphold, enforce, and meaningfully apply the state and local environmental statutes, regulations and ordinances that are designed to protect habitat and the quality of life of the people who live here. We have many laws on the books. If those laws and ordinances are not meaningfully enforced, they are merely words on paper.

This proposed subdivision poses real concerns not only due to its size, but because of the cumulative impact of three other recently-developed (but not yet completed) subdivisions that are adjacent to this site, including, but not limited to: (1) 6700 Henderson (16 Lot plat on 5.19 acres) and 7028 Henderson (22 lot plat on 5.5 acres), and 3) 715 Dennis St. (Tumwater Blvd)(subdivision of 24.13 acres into approximately 30 single-family lots).

While these other three subdivisions have been started, the homes (and the traffic) have not yet come. By assessing and evaluating each subdivision individually, you will fail to consider the cumulative impact of adding several new houses and vehicles all at the same time. By the time that the full impact is felt, it will be too late.

Over the past three years, we witnessed clear-cutting in the other three subdivisions listed above. As this project's SEPA checklist states: **"All of the vegetation within the project area will be removed."** That sums it up well - total destruction. Our children regularly learn about climate change in our schools and yet they regularly witness wholesale environmental destruction in the "Evergreen State" - in fact, right in their own neighborhood. It is 2022, but we continue to allow wholesale destruction of habitat even in our state capital. I believe that Tumwater can and should require more from developers.



In the other subdivisions in this vicinity, virtually every living plant or tree was cut down, ground up, and cast aside. I realize that this allows developers to maximize their profits. In 2022, there are more environmentally sensitive methods of developing properties that do not leave such environmental ruin. Can you please do more than “rubber stamp” this project and require the developers to make a meaningful effort to preserve some of the existing vegetation - especially mature trees? Preserving the existing grove of mature trees on the property will help preserve some semblance of the natural beauty that first attracted people (including me) to Tumwater.

The developers that profit from this type of development are not residents of Tumwater. You must follow the law, but please do so with the existing - and future - residents of the city in mind.

This property has more than 360 trees. A “do the minimum” approach when interpreting and applying the city’s tree ordinance means that mature cedars, oaks, and Douglas Firs (which provide real habitat for animals) are replaced by small decorative trees that provide no real habitat for animals.

From the aerial photos, you can see how this 9 acre property serves as a crucial animal corridor (“greenway”) that connects other larger areas of remaining habitat in the surrounding area. This is especially important given the clear-cutting that occurred in the adjacent property that will soon be a subdivision. I have often witnessed wildlife in the area that need a patchwork of corridors to travel between food sources, which change during the course of the seasons. Please ensure that the environmental impact of this critical habitat corridor is fully evaluated as part of your environmental review.

We have lived in Tumwater for 18 years. What originally attracted us to Tumwater is that was not full of sprawl. It was green and in a word - liveable. Unfortunately, this part of Tumwater will soon resemble every other suburb, with traffic jams and cookie-cutter houses. Eventually, longtime residents who loved Tumwater will move away, as the quality of life deteriorates.

One clear change in this area is the traffic. This project’s traffic analysis does not adequately consider the impact of the other new soon-to-be constructed subdivisions nearby. This proposed subdivision is near that critical “T” intersection of Henderson Blvd and Tumwater Blvd. Prior to the pandemic, there was a backup that extended to the Dart plant. The traffic analysis may be legally sufficient, but does not reflect the on-the-ground reality of this key intersection at rush hour. In truth, many homes with families have 3 or 4 cars and multiple drivers, which does not appear to be reflected in the technical plug-and-chug analysis in the report.

If you visit the site, you will observe that part of the property is flat (near Henderson Blvd), but the backside has a steep downhill “dip.” In the Tumwater Boulevard development, we witnessed the fact that large subdivisions require significant equipment to substantially reshape and transform the terrain so that homes can be built. Much of this property is not suitable for development without substantial intervention and moving of large amounts of soil. Please consider how the project can better conform to the existing terrain by reducing the number of lots on the site.

I also have concerns about the lack of notice that has been provided to the residents of the surrounding area about this project. In 2018, I repeatedly communicated with the city about the need to improve the notice that is being provided by the city about development projects like this. Many residents of our subdivision were not notified about a project that was located almost across the street from our development. At that time, I was told that the minimum legal requirement was that notice had to be sent to residences within 300 feet of the project. I asked and was assured that I would receive notice of any new projects in the area. I did not receive written notice of this project and only learned about it from a neighbor. Again, the city must do more than “do the minimum” and

make a genuine effort to notify residents of major projects that will impact their lives. Doing so helps preserve the public's trust in its officials and civil servants.

Thank you for carefully considering my comments and working to consider the best interest of the citizens of Tumwater.

Sincerely,  
Robert Kondrat