



Building and Planning Department
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COPY

SEPA #:SEPA-21-0010

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: K&W Properties is proposing construction of a 68-unit multi-family complex with a maintenance building, community space, lighting, and landscaping.

Proponent: K&W Properties, 148 Rosewood Dr, Chehalis WA 98532

Location of proposal: 0000 21st St W, Chehalis; Lewis County Parcel #005604183244

Lead agency: Chehalis Building and Planning Department

Chehalis Building and Planning Department has determined that this project 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 City. This information is available to the public on request.

This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by 4:00 PM **June 9, 2022.**

Responsible Official: Tammy S. Baraconi
Position/title Building and Planning Manager, City of Chehalis
Phone: (360) 345.2227
Address: 1321 S. Market Blvd, Chehalis, WA 98532

Signature: Amelia Schwartz
Amelia Schwartz for Tammy Baraconi **Date: May 26, 2022.**

You may appeal this determination to City of Chehalis – Building and Planning Department, 1321 S. Market Blvd., Chehalis, WA 98532. You should be prepared to make specific factual objections. All substantive appeals must be filed with City of Chehalis in writing with a \$500 fee plus the cost of the hearing examiner submitted by 4:00 PM on **June 9, 2022.** You may contact Tammy Baraconi to ask about the procedures for SEPA appeals.

CITY OF CHEHALIS COMPREHENSIVE PLAN

The proposed development is compatible with the following goals and policies of the City of Chehalis Comprehensive Plan:

Chapter 3, Land Use

LU.04.01 Encourage residential, commercial and industrial development at appropriate densities to meet population and employment demands.

Chapter 4, Housing

H.01.02 Support private individuals or developers to develop suitable housing to meet the housing needs of low and moderate income persons.

H.01.03 Allow for a range of densities to ensure maximum choice in housing options.

CONDITIONS OF THE MITIGATED DETERMINATION OF NONSIGNIFICANCE

1. A Construction Stormwater General Permit is required by the state Department of Ecology. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.
2. Landscaping must be done by a Washington state-licensed landscape architect as referenced in RCW 18.96.
3. Wetland enhancement activities and mitigation plan listed in the May 17, 2022 Critical Areas report must be completed before final occupancy. Preliminary plans showing how the plan and activities will be implemented must be submitted to the City Planner and permit technicians before construction begins, and the final enhancement plans must be submitted to the City Planner and permit technicians before final occupancy is approved.
4. Any new connection leading to increased traffic flow onto Jackson Hwy shall be reviewed and approved by the Lewis County Traffic Engineer.
5. Frontage improvements, including curb, gutter, and sidewalk will be required along the parcel boundary on SW 21st Street to increase the safety of pedestrians.
6. Stormwater runoff must not drain onto 21st Street or neighboring properties.
7. A privacy fence must be installed along interior property lines to block excessive lights and noise from affecting adjacent properties.
8. Recommendations within the updated TIA must be implemented by the developer prior to final occupancy.

This decision considers comments received from the public, the Department of Ecology, Lewis County, city departments, and contracted 3rd parties.

The environmental threshold determination is based on analysis of information contained in the following documents:

- SEPA Environmental Checklist prepared by RB Engineering
- Preliminary Civil Plans prepared by RB Engineering
- Traffic Impact Analysis and Revision prepared by Jake Traffic Engineering
- Preliminary Landscape Plans designed by Chris Aldrich, Licensed Landscape Architect
- Critical Areas Report prepared by Ecological Land Services

NOTES:

1. The issuance of a Mitigated Determination of Nonsignificance does not constitute project approval. All building plans and site design must meet the following: 2018 International Fire Code, the 2018 International Building Code, the City of Chehalis Engineering Development Code (CMC Title 12) and the City of Chehalis Municipal Code (CMC Title 17) and all other applicable local, state, and federal regulations.
2. The Mitigated Determination of Nonsignificance is based on the applicant developing the site in accordance with the site plan as approved by City of Chehalis for the associated project.
3. If contamination is currently known or observed during construction, sampling of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, the Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Andrew Smith with the Toxics Cleanup Program at the Southwest Regional Office at (360) 407-6316.
4. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered pollutants. Any discharge of sediment-laden runoff of other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington and is subject to enforcement action.
5. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the Lewis County health department for proper management of these materials.
6. Construction and earthmoving activities have the potential to generate excessive dust emissions if reasonable control measures are not implemented. SWCAA Regulation 400-040(2) requires that “no person shall cause or permit the emission of particulate matter from any stationary source to be deposited beyond the property under direct control of the owner or operator of the stationary source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited”. Furthermore, SWCAA Regulation 400-040(8)(a) requires that “the owner or operator of any source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions”. Violations of SWCAA Regulation 400-040 may result in civil penalties being assessed against the project operator and/or property owner.
7. During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over other work.
8. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100’ buffer; this number may vary by circumstances) must stop and the following actions taken:

- Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and
- Take reasonable steps to ensure the confidentiality of the discovery site; and
- Take reasonable steps to restrict access to the site of discovery.

The project proponent will notify the concerned Tribes and all appropriate local, state, and federal agencies including the Department of Archaeology and Historic Preservation and the City of Chehalis Community Development. The agencies and Tribes(s) will discuss possible measures to remove or avoid cultural material and will reach an agreement with the project proponent regarding actions to be taken and disposition of material.

If human remains are uncovered, the City of Chehalis Police Department shall be notified first, and the above steps followed. If the remains are determined to be of an Indigenous person, consultation with the affected Tribes will take place in order to plan for the final location of said remains.

See the Revised Code of Washington, Chapter 27.53, “Archaeological Sites and Resources,” for applicable laws and statutes. See also Washington State Executive Order 05-05, “Archaeological and Cultural Resources.” Additional state and federal law(s) may also apply.

Thank you,

Amelia Schwartz
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CC:
SEPA Register