



Building and Planning Department
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COPY

SEPA #:SEPA-22-0003

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: KEM Northwest is proposing the construction of a new 27,850 sq. ft. dealership.

Proponent: KEM Northwest LLC, 1720 Simpson Ave, Aberdeen WA 98520

Location of Proposal: NW Louisiana Ave. Lewis County Parcel #005605082009

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 21, 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: June 7, 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 21, 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 Comprehensive Plan:

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

ED 2.1 Encourage the development of employment opportunities.

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.
2. Landscaping must be done by a Washington licensed landscape architect as referenced in RCW 18.96.
3. CMC 17.22.035 Zero-rise policy must be followed, and associated reports and documentation must be submitted to the City of Chehalis prior to construction, including excavation and fill.
4. Refer to the City of Chehalis' Plan Checklist (CMC Section 12.04.260) for required information to be provided throughout subsequent project plan submittals.
5. Patching and restoration of NW Louisiana Avenue and the extension of Arkansas Way shall be per CMC 12.04.280 items (O) and (P).
6. CMC 12.04.340 Stormwater Management. The City of Chehalis follows the most current version of the Washington State Department of Ecology's Stormwater Management Manual for Western Washington. Minimum Requirements (MRs) 1 through 9 are required to be addressed. Per the SEPA Checklist, Item 3.b.2, all stormwater generated onsite will need to be collected on-site and conveyed to the Port of Chehalis regional stormwater treatment and detention facility.
7. Provide calculations showing the proposed development does not exceed the assumed land use values for the regional stormwater facility.
8. Verify the regional facility and associated report was prepared for the Port of Chehalis and not the Chehalis Regional Airport.
9. Backflow prevention assemblies used for premises isolation will be installed at the expense of the user, downstream from the city's water metering device, but within six feet of the meter box or before any other use connection, to protect the public water distribution system from any potential hazard, as determined by the city. Hydrants on private property shall be owned and maintained by the owner. To prevent undetected use of City water on private property, a double check detection assembly (DCDA) shall be installed on private property near the NW Louisiana Avenue right of way line.

This decision considers comments received from the public, the Department of Ecology, Lewis County, the Quinault Indian Nation, 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 in December 2021 by RB Engineering
- Preliminary Plans by RB Engineering
- Geotechnical Report by MTC, Inc.

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. 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.
4. 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.
5. 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.
6. 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.

7. 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