CITY OF MCCLEARY
STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
(DNS)

Proponent/Applicant: M & M Harbor Properties, LLC
P O Box 1492
Elma, WA 9851
360-482-4888

Jurisdiction/Lead Agency: City of McCleary

Responsible Official: Busse Nutley
City Administrator
100 South 3rd Street
McCleary, WA 98557
Contact via U.S. Mail or Fax (360) 495-3097

Date of Issuance: December 2, 2008

Comment Period:
This Determination of Non-significance (DNS) is issued under the State Environmental Policy Act (SEPA) as provided in WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the above date of issuance. Comments must be submitted to the Responsible Official by December 16, 2008. The applicant **shall not** begin work until after the comment period has expired and all other necessary permits, approvals, and authorizations have been granted.

Description of Proposal:
The project is a comprehensive plan change from single family residential to multifamily residential and a rezone from C-3 to R-2.

Location of Proposal:
The property in located at the southeast corner of McCleary Road and Mox Chehalis Road; Assessor's parcel 618051332004.

Threshold Determination:
The City of McCleary, acting as the SEPA lead agency for this Proposal, has determined that it DOES NOT have a probable significant adverse impact on the environment 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 open to the public on request. A copy of the environmental checklist is on file at McCleary City Hall, 100 South 3rd Street, McCleary, WA 98557.

Appeal Process:
This Determination of Non-significance may be appealed to the McCleary City Council from December 6, 2008 through December 16, 2008. The City establishes administrative appeal procedures under RCW 43.21C.075(3) and WAC 197-11-680. Any agency or person may appeal the City's procedural compliance with WAC 197-11 for issuance of this final DNS. You should be prepared to make specific factual objections. The 14-day comment period and the 10-day appeal period for this DNS run concurrently. Further details regarding the appeal process may be obtained from the Responsible Official.

Determination of Non-
Significance Issued by:

Busse Nutley
Environmental Review Officer

DEPARTMENT OF PUBLIC SERVICES
100 W. BROADWAY, SUITE 31
MONTESANO, WASHINGTON 98563-3614
PHONE (360) 249-4222
FAX (360) 249-3203

F. PAUL EASTER
DIRECTOR

GRAYS HARBOR COUNTY
STATE OF WASHINGTON

CITY OF MCCLEARY
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Kevin Varness, Asst. Director
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Fax: 360-249-3203

Public Works
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Grays Harbor Co. Web Page
co.grays-harbor.wa.us

December 3, 2008

Busse Nutley
City of McCleary
100 South 3rd Street
McCleary, Washington 98557

RE: *Determination of Non-Significance*

Ms. Nutley:

Thank you for the opportunity to comment on the City of McCleary *Washington State Environmental Policy Act* (SEPA) *Determination of Non-Significance* (DNS) associated with the M & M Harbor Properties LLC proposal for a change in comprehensive plan land use designation and zoning district designation for property located in the southeast corner of the intersection of McCleary Road and Mox Chehalis Road in the City of McCleary, Grays Harbor County, Washington.

Grays Harbor County has reviewed the threshold determination and concurs that the proposal does not represent a probable significant adverse impact to elements of either the natural or built environment.

Thank you again.

Sincerely,

Brian Shea
Director
Planning and Building Division

cc: Bob Beerbower, Grays Harbor County District 1 Commissioner
File

WAC 197-11-960 Environmental checklist.

CITY OF MCCLEARY

OCT 07 2008

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ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

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

4. Date checklist prepared:
5. Agency requesting checklist:
6. Proposed timing or schedule (including phasing, if applicable):

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

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

Wetland Delineation (Genesis Resource Consulting)
Dated Sept. 18, 2008
142 Lamprecht Road
Winlock, WA. 98596
(360) 520 - 2847
Copy Included

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.

UNKNOWN

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

Approved Mitigated Wetland Setbacks

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.)

Develope the east side of property (east side of wetland dividing property) and construct (two) eighteen unit residential complexes. Dedicate the area west of wetland to environmental preservation and/or public park area.

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.

1.99 Acre site inside the corner of the McCleary Rd/ Mox Chehalis Road intersection next to the Mox Chehalis/ St. Rt. 8 interchange. TAX PAR. #618051332004 SEC 13, TN 18N. R. 5 W. Grays Harbor County WA. (McCleary City Limits)

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, (other.) .... Relatively flat with the exception of wet area

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

Approx 45° (inside wet area)

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 prime farmland.

Silty Clay Loam (See Report)

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

No (See Report page 7 under "Geographic Setting" and "Drainage and Permeability"

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Minor grading Only - to prepare for building dig out area

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

When soils of most sorts are exposed to heavy rainfall erosion "can occur" - In this case erosion would be minimal to non-existant (Wetland Areas will not be Altered)

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

Approx. 40%

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

silt fence, straw and other standard measures as required

a. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

During construction: A) heavy equip. emissions B) Minor dust
Post construction: Standard vehicle emissions

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

No

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

utilize equipment with approved emissions devices

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

3. **Water**

a. Surface:

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.

Yes (wet Area Drainage) Please refer to report as provided

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.

Yes (Please refer to site plan as provided)

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.

None

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

No

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

No

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.

No

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No (city water)

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.

None (City Sewer)

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

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.

Storm water will divert to vegetative treatment then to wet area runoff area

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

Not likely

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

sub-surface water retention prior to evacuation to wet area runoff

4. **Plants**

a. Check or circle types of vegetation found on the site:

X deciduous tree: (alder) maple, aspen, other

____ evergreen tree: fir, cedar, pine, other

X shrubs

X grass

____ pasture

____ crop or grain

X wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

X water plants: water lily, eelgrass, milfoil, other

X other types of vegetation See wet land report as provided

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

Black berry - Alder and grass

c. List threatened or 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:

- Preserve and enhance wetland area
- Re-vegetate area with native or similar following construction

Note - Our company will maintain owner ship of property following completion

5. **Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on ~~or~~ near the site:

birds: (hawk), heron, eagle, (songbirds), other:
mammals: (deer), bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other:

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

None Known

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

Not To Our Knowledge

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

Preserve and Enhance Wetland Area - offer to donate area west of wetland to City of McCleary

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. Electricity

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No

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:

(1) On Demand Water Heat (2) LOW WATTAGE LIGHTING (3) Re-cycled siding (4) Solar Heat (Supplement) (5) Recycled hard surfaces

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.

Very Limited Risk Standard To a Development

1) Describe special emergency services that might be required.

Ambulance - Fire truck - Police

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

Maintain adequate supervision and monitoring

b. **Noise**

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

Traffic

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. Standard Construction

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

Utilize approved mufflers on equipment

8. **Land and shoreline use**

a. What is the current use of the site and adjacent properties?

Natural

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

None

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

N.A.

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

C-3

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

Commercial

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

N.A.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Yes - Please see report as provided

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

54

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

0

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

N.A.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Our company is currently requesting a zone change from C-3 to R-2 in an effort to preserve and enhance the wet area

9. **Housing**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. 36 units - medium income

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. 0

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

N.A.

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?

35'

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

Possible future development in on property north of proposed site (Alder trees on site will be taller)

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

Enhancement of wetland area will preserve Alder trees which are taller than complex.

11. **Light and glare**

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

None

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

No

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

None

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

N.A.

12. **Recreation**

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

Possible City Park on site if city accepts proposal to occupy area west of wetland

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

No

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

Proposed City Park

13. **Historic and cultural preservation**

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Not To Our Knowledge

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None To Our Knowledge

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

N.A.

14. **Transportation**

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. St. Rt. 8 – McCleary Rd Max Chehalis Rd.

Please Refer to site plan as provided

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes

c. How many parking spaces would the completed project have? How many would the project eliminate?

58 parking spaces

None Eliminated

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

New private road on site

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

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

NO

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Estimate 50+ trips per day

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

Construct private road and entrance apron per engineering requirments

15. **Public services**

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

Yes - Standard use of all the above

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

Encourage use of Public Transportation

16. **Utilities**

a. Circle utilities currently available at the site: (electricity) natural gas, (water), (refuse service, telephone) (sanitary sewer) septic system, other.

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. Electricity (G.H. P.U.D.) Telephone (Century Tel) Sewer (City of McCleary) Domestic Water (City of McCleary)

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: Monte G. Pels For Harbor Properties LLC

Date Submitted: 09/23/08

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not 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?

Development increases potential for all of the above. It is our responsibility to limit these potential risks through responsible practices

Proposed measures to avoid or reduce such increases are:

Responsible construction management and utilization of competent equipment and materials.

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

Our plan is to expand and enhance the wetland area in an effort to reduce the affect of change.

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

Enhance and expand wetland

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

Use of electricity

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

High quality construction and utilization of recycled materials

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?

Increased population affects all of the above. In the case of our project the affects would be minimal.

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

Enhance and expand sensitive areas within the boundaries of our project.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

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?

N.A.

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

N.A.

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

Increased population

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

Proper road engineering

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

No conflict