



MITIGATED DETERMINATION OF NONSIGNIFICANCE

DATE: August 10, 2007

PARCEL NO'S: 0519022023, 0519021032

APPLICATION NO: PLN 2006-00813

APPLICATION NAME: Eastown, LLC

PROPOSAL: The proposal is to demolish buildings on, clear, grade, and fill portions of the site as necessary to install a storm water pipe and sewer lift station and to stockpile over 200,000 cubic yards of fill from a construction project within three miles of the site.

LOCATION: The project adjoins State Route 410 on the north and 96th Street East on the south, approximately one mile east of 214th Avenue East. The address is 22123 and 22405 SR 410, Section 2, Township 19, Range 5.

OWNERS:
Eastown, LLC
11919 Canyon Rd. E.
Puyallup, WA 98373

APPLICANT:
Eastown, LLC
11919 Canyon Rd. E.
Puyallup, WA 98373

Dickie Smith
22123 SR 410
Bonney Lake, WA 98391

FINDINGS:

1. The proposed site covers two parcels totaling approximately 24.32 acres (1,059,379 square feet). The zoning is C-2/C-3 Combined Retail-Commercial, Warehousing & Light Manufacturing. Sewer lift stations are permitted in this zone.
2. The surrounding zoning within the City limits is C-2/C-3. Properties north, northeast, and northwest of the site are in Pierce County jurisdiction and are zoned Reserve 5, a low-density single-family zone.
3. No state or federal candidate threatened or endangered animal species or habitat have been identified on-site.
4. A Category four wetland lies at the northeast corner of the property. Off-site wetlands may exist, the buffers of which may encumber other parts of the site. Vegetation at the north end of the property may indicate another wetland.
5. There are possible tributaries to Fennel Creek crossing the area that convey surface water from south of SR-410 to main stem Fennel Creek located north of 96th Street East.
6. Fennel Creek below Victor Falls provides habitat to Chinook salmon. Spring and fall Chinook salmon are listed under the Endangered Species Act as a threatened species by the National Marine Fisheries Service.

DETERMINATION:

The Responsible Official determines that the proposal does not have a probable significant impact on the environment, and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c), if the following conditions are met. This decision was made after review of an environmental checklist and other information which are available on request.



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1. Disruption and stockpiling shall occur only in areas designated in the related permits, which areas shall be sufficient in size to accomplish the stockpiling.
2. Prior to construction, a temporary access permit must be obtained from the City of Bonney Lake for construction access to SR 410.
3. In accordance with the SEPA review letter received from the Tacoma-Pierce County Department of Health (TPCHD) dated March 23, 2007, the following must be complied with:
 - A. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are solid waste and permit approval must be obtained through the TPCHD prior to filling.
 - B. Asbestos-containing material must be removed prior to demolition and disposed per the requirements of the Puget Sound Clean Air Agency, Washington State Department of Labor and Industries, and the TPCHD.
 - C. All demolition material, including wood waste, sheetrock, roofing material, and concrete, must go to a licensed solid waste handling or disposal facility.
 - D. All wells that will not be included in the public water system for this project must be properly decommissioned per WAC (173-160) prior to final application approval. The TPCHD must be contacted 48 hours prior to any decommissioning activity at the site. Contact Rich Dickerson at (253) 798-2885, TPCHD for further information regarding decommissioning wells.
4. In accordance with a letter received from the Washington State Department of Ecology on April 3, 2007, the following must be complied with:
 - A. Required temporary erosion and sediment control measures must be in place prior to any clearing, grading, or construction. These control measures must prevent storm water runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state.
 - B. Construction debris must not enter or degrade any waters.
 - C. Soils in stockpiles shall be stabilized or protected with sediment-trapping measures to prevent soil loss. Exposed areas of final grade or areas that are not scheduled for work, whether at final grade or otherwise, shall not remain exposed and un-worked for more than two days, between October 1st and April 30th. Between May 1st and September 30th, no soils shall remain exposed and un-worked for more than 7 days.



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Date of Issue: August 10, 2007
Comment Deadline: August 27, 2007
Appeal Deadline: September 11, 2007

NOTE: Pursuant to Bonney Lake Municipal Code 14.120.020, this decision may be appealed if filed with appropriate fees at the City Hall Annex, located at 8720 184th Ave. E, Bonney Lake within 15 days of the expiration of the comment deadline.

This Mitigated Determination of Nonsignificance **does not** constitute project approval. The applicant must still obtain the necessary permits.