

MITIGATED DETERMINATION OF NONSIGNIFICANCE



Description of proposal:

Preliminary plat application for Chambers Place subdivision, consisting of 9 single-family residential lots on 2.76 acres.

Proponents:

Creek Stone LLC
28606 132nd Ave SE
Kent WA 98042

Location of proposal, including street address, if any:

The site is in the northwest quarter of the northeast quarter of Section 6, Township 19 North, Range 2 East, WM, in Steilacoom, Washington. The property is tax parcel 6655200311, located on the east side of the 600 block of Chambers Street.

Lead agency:

Town of Steilacoom

Findings

1. The proposed project is the development of 9 single-family detached residential lots and dwelling units, a new private street to provide access, stormwater control and necessary utility construction.
2. The site consists of one tax lot.
3. The site was a former football field. It is mostly flat, with slopes along the southern and eastern sides. The flat area is covered with grass, there are a few trees along the southern and eastern slopes.
4. The flat area is the result of grading that took place decades ago.
5. The Town Critical Areas map and the Pierce County wetlands map indicate a possible wetland across Chambers Street to the west of this parcel.
6. The applicant provided a wetland delineation and critical area assessment report dated September 1, 2022, by Habitat Technologies.
7. The Habitat Technologies report did not "identify any areas within the project site as meeting the established criteria for designation as a Town of Steilacoom "wetland," "watercourse" or "fish and wildlife habitat conservation areas.""
8. The site is within the Tacoma Smelter Plume for potential contamination from the former Asarco Smelter in Ruston Washington.
9. The applicant provided a technical memorandum dated June 24, 2022, from Landau Associates, Inc. summarizing soil testing for arsenic and lead levels on the subject property.

10. The Landau Associates report found that “the arsenic and lead concentrations at the site are below the MTCA Method A CULs, and that no additional characterization or cleanup actions are warranted”.
11. Development of the site will require grading. Erosion is possible once the soil is disturbed.
12. Stormwater runoff will occur during construction and from the resulting houses and roadway.
13. The Town has adopted the most recent version of the Department of Ecology's Stormwater Management Manual in Chapter 13.50 SMC.
14. The site is larger than one acre and will require a Construction General Stormwater Permit from the Department of Ecology under Chapter 173-226 WAC.
15. Both the Town stormwater regulations and the Ecology stormwater permit require erosion control during construction.
16. Both the Town stormwater regulations and the Ecology stormwater permit require stormwater control during and after the construction.
17. The project will be designed to meet the current Stormwater Management Manual.
18. Discovery of human remains or cultural items during excavation require notification to the authorities, including tribal authorities under Chapters 27.44, 68.50 and 68.60 RCW.
19. The Nisqually, Puyallup and Squaxin Island Tribes have interest in the culture and history of the Steilacoom area.
20. The Town of Steilacoom routinely includes the Steilacoom Tribe in environmental determinations.
21. Traffic from the proposed project will access Chambers Street, an existing residential street.
22. The proposed plat will generate an average of 90 new vehicle trips per day onto Chambers Street, using an estimated 10 vehicle trips per day per residence.
23. Under the Town's designations, Chambers Street is a residential street, designed to handle less than 4,000 daily vehicle trips.

Conclusions

1. The proposed project's potential impacts include disturbance of critical areas, disturbance of contaminated soils, erosion and stormwater runoff, disturbance of cultural artifacts, and traffic.
2. No critical areas were found on the site.
3. This proposed project would not have a probable significant adverse impact on the environment due to disturbance of critical areas.
4. No contaminated soils were found on the property.
5. Development of the site will not have a probable significant adverse impact on the environment due to the disturbance of contaminated soils.
6. Stormwater control, both during and after construction is mandated by Town and State regulations. The Town and state regulations on erosion control and stormwater runoff will adequately mitigate the impacts of the proposed project.

7. Due to the existing regulations on erosion control and stormwater runoff control, this proposed project would not have a probable significant adverse impact on the environment due to erosion and stormwater runoff.
8. The proper authorities, including tribal authorities, should be notified in case of discovery of human remains or cultural items during excavation.
9. Due to the procedures for the discovery of human skeletal remains or other cultural/historic resources, this proposed project would not have a probable significant adverse impact on the environment due to the disturbance of cultural artifacts.
10. Chambers Street should be able to accommodate traffic from this development without revision.
11. Development of the site will not have a probable significant adverse impact on the environment due to traffic on Chambers Street.

Mitigation

Based upon the foregoing Findings and Conclusions, the following mitigation measures are necessary to ensure that the proposal has no probable significant adverse impacts on the environment.

1. The project's developer must obtain a Construction General Stormwater Permit from the Department of Ecology and abide by all conditions of that permit.
2. The project's approved design must incorporate the requirements of the latest version of the Department of Ecology's Stormwater Management Manual for Western Washington.
3. The proper authorities, including the tribal authorities of the Steilacoom, Nisqually, Puyallup and Squaxin Island Tribes, must be notified in case of discovery of human remains or cultural items during excavation. The applicant must follow the procedures for the discovery of human skeletal remains or other cultural/historic resources appended to this MDNS.
4. The project must be constructed in accordance with the approved design including all conditions of approval of the Steilacoom Town Council.

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 lead agency. This information is available to the public on request at 1030 Roe Street, Steilacoom, Washington.

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period.

This MDNS is issued under 197-11-340(2) (a); the lead agency will not act on this proposal for 14 days from the date below. Comments and appeals must be submitted

by February 16, 2023. Appeals must be made to the Town Hearing Examiner under SMC 14.24.010 and 14.24.030.

Responsible official: Paul Loveless

Position/Title: Town Administrator

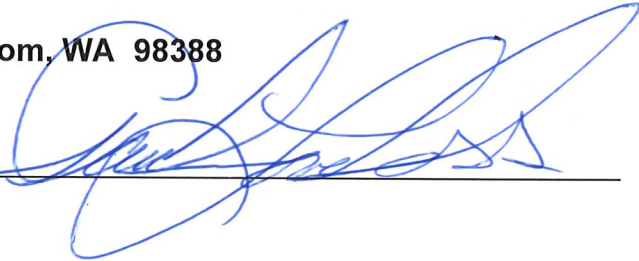
Phone: 253-581-1912

Address: 1030 Roe Street, Steilacoom, WA 98388

Date

2/16/2023

Signature



Procedures for the discovery of human skeletal remains or other cultural/historic resources

Contractor responsibilities:

1. If human remains or other cultural or historic resources, suspected or confirmed, are discovered by the applicant's contractor or its agents, project personnel will do the following:
2. Immediately stop work at and near the discovery. The area of work stoppage will be adequate to provide for the security, protection, and integrity of the archaeological resource, in accordance with Washington State law.
3. Immediately inform the applicant.
4. Secure a radius of thirty (30) feet from the discovery. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site.
5. At all times, any human skeletal remains discovered will be treated with dignity and respect.

Applicant responsibilities:

Upon notification from its contractor, the applicant will arrange for a qualified archaeologist to visit the site of the discovery.

Human Skeletal Remains

The archaeologist will make an identification of the remains in consultation with DAHP's State Physical Anthropologist, and notify the applicant of the findings and the basis for the identification.

1. If the remains are determined to be human, the applicant will immediately notify the Steilacoom Public Safety Department, and the Pierce County Medical Examiner's Office. The applicant will coordinate with its contractor and DAHP to ensure that no additional construction excavation affecting the remains will be undertaken prior to consultation, and no exposed human remains will be left unattended during work hours.
2. The applicant will notify tribes at this time if the remains are suspected to be of Native American ancestry. The law enforcement agency will assume jurisdiction immediately upon arrival, and the Medical Examiner or official representative will examine the remains and determine whether or not they are forensic (crime scene) or non-forensic. If forensic, the Medical Examiner's Office will control the discovery and no work may resume until the law enforcement agency releases control of the area to the applicant. If non-forensic, the Medical Examiner's Office will notify DAHP's State Physical Anthropologist. DAHP will take jurisdiction over the remains and will notify appropriate cemeteries and affected tribes of the discovery. The applicant will also notify affected tribes from the attached contact list.
3. The State Physical Anthropologist will determine if the remains are Native American and will notify any appropriate cemeteries and affected tribes of the determination. DAHP will lead all consultation with the affected parties regarding the future preservation, excavation, and disposition of the remains.

Cultural or Historical Resources

1. A qualified archaeologist will visit the work site and determine if the resource is an intact archaeological site. The qualified archaeologist will ensure proper documentation and assessment of any discovered cultural resources. All prehistoric and historic cultural material discovered during project construction will be recorded by a professional archaeologist using standard techniques and in the format requested by DAHP.
2. If the qualified archaeologist, in consultation with DAHP, determine that the discovery is an intact cultural resource, the applicant will consult with DAHP and the affected tribes, as appropriate, to determine appropriate treatment/mitigation (likely a DAHP excavation permit and data recovery would be required). Mitigation measures could include, but not be limited to, avoidance through redesign, conducting data recovery and/or relocating materials or remains.
3. Where cultural resources are encountered during construction, but additional project effects to the resources are not anticipated, project construction may be allowed to continue while assessment and documentation of the cultural resources proceed. If continued construction is likely to cause additional impacts to such resources, project activities within 30 feet of the discovery will cease until the qualified archaeologist has documented the site, evaluated its significance, and assessed potential effects to the site. The applicant, in consultation with DAHP and the qualified archaeologist, will decide when construction may resume at the discovery location.