



City of Puyallup

**Planning Division**

333 S. Meridian, Puyallup, WA 98371

(253) 864-4165

www.cityofpuyallup.org

PRELIMINARY\*

**MITIGATED DETERMINATION OF  
NON-SIGNIFICANCE (MDNS)**

*\*This determination will become final if no formal appeals are filed and/or reconsideration requests are duly received*

for

**4th Ave NW Storm Drain  
SEPA Standalone, SEPA Checklist  
Project # PLSSP20220032**

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Date of Issuance:	August 9, 2022
Description of Proposal:	This project is for the installation of a storm main along 4th Ave SE/SW and 4th/5th St SW/NW.
Location of Proposal:	333 S Meridian
Proponent:	Ryan Rutkosky
Lead Agency Responsible Official:	Katie Baker, AICP City of Puyallup Planning Division 333 S. Meridian Puyallup, WA 98371 (253) 864-4165 www.cityofpuyallup.org
City of Puyallup Permits:	Stormwater general permits, Right-of-Way permits
Zoning:	No zoning, project located in City right-of-way
Comprehensive Plan:	No comprehensive plan designation, project located in City right-of-way
Shoreline Environment:	Project located outside of regulated shoreline environment

**A. PROJECT SPECIFIC MATERIALS (INCORPORATION BY REFERENCE – WAC 197-11-635):**

The subject Threshold Determination herein and associated environmental findings are based upon review of the following documents submitted by the applicant and official responses from the city in regard to the underlying permit(s). These documents are incorporated by reference, in accordance with WAC 197-11-635, and are available for public review. Please note, due to the current COVID-19 "Stay Home, Stay Healthy" order, Puyallup City Hall is currently closed to the public. To request access to electronic copies of project materials, please contact [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) or (253) 864-4165.

- Site Plan, received March 09, 2022

- Draft Geotechnical Report, received April 12, 2022
  - SEPA Project Checklist, received March 09, 2022
  - 4th Ave Storm Drain Capacity Evaluation, received March 10, 2022
  - Map of Project extents near Puyallup River regulated shoreline environment, received April 5, 2022
  - 60% Design Submittal for Phase 1 of project, received July 27, 2022
1. Notice of Application (NOA) date, consistent with WAC 197-11-355 (Optional DNS Process)
    - i. Optional DNS notice sent on April 8, 2022 Comment period expired April 25, 2022
    - ii. List of recipients, comments received, and copy of NOA materials available in project file. Contact the Lead Agency Responsible Official for further information. Email the Planning Department at [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) for full copies.
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## **B. RESPONSIBLE OFFICIAL FINDINGS OF CONSISTENCY**

The SEPA Responsible Official for the City of Puyallup hereby makes the following findings of consistency based upon a review of the environmental checklist and attachments, other information and studies on file for the project, and the policies, plans, and regulations designated by the City of Puyallup as a basis for the exercise of substantive authority (see PMC 21.04), and under the State Environmental Policy Act (SEPA) pursuant to the Revised Code of Washington (RCW) 43.21C. The following findings of consistency apply to the project and may be referenced in future (final) permit review notes and/or conditions:

### **1. EARTH**

- i. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent storm water runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants that must be controlled with temporary erosion control measures, consistent with Puyallup Municipal Code (PMC) 21.14, Clearing, Filling and Grading, in addition to any and all permits required by other agencies. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.
- ii. Based on the project geotechnical report, where available, and a review of available topography, LIDAR, mapped soils (NRCS) and geohazard area data (GIS), impacts to geologic hazard areas have not been identified. All projects working within a geologic hazard area are required to comply with all applicable sections of the city's critical areas ordinance and engineering Best Management Practices.
- iii. Temporary erosion, sedimentation and construction dust control BMPs will be applied in accordance with City of Puyallup city standard section 500 – Grading, Erosion and Sedimentation Control and all engineering Best Management Practices (BMPs), in accordance with City Engineer approval.

### **2. AIR**

- i. Watering of exposed soils during construction to suppress dust will limit impacts to ambient air quality resulting from the project improvements.
- ii. Construction activities and vehicles being driven to and from the city can be anticipated to cause impacts on air quality and produce greenhouse gas emissions; no single point source of emissions that requires specific analysis on air quality and known to be present as a result of the project.
- iii. No known sources of foul or offensive odors are anticipated as a result of the project.

### **3. WATER**

- i. Storm water runoff will be managed and treated in accordance with the currently city-adopted version of the Department of Ecology Stormwater Design Manual (See PMC 21.10.040), all applicable city storm water standards, all applicable NPDES permit requirements, and BMPs/standard engineering practices in accordance with City Engineer approval.
- ii. The project location was not found to contain any hydrophytic vegetation, no field indications of hydric soil conditions, and no location on the project site-maintained hydrology indicative of wetlands. No areas of the project site are shown on the city's critical area maps as identified or suspected wetlands.
- iii. Where projects are shown on the city's critical area maps as being within a critical aquifer recharge area or wellhead protection zone, additional review of impacts to ground water may be triggered, in accordance with standards in the city's critical areas ordinance.
- iv. Activities that do not cause degradation of groundwater or significantly impact the recharge of ground water aquifer may be permitted in a critical aquifer recharge area; provided, that the project complies with the city storm water management regulations and other applicable local, state, and federal regulations.

### **4. PLANTS**

- i. The project may include the removal of trees and vegetation in existing landscape planters within the City's right-of-way. Where this occurs the project anticipates full replacement of all landscape plantings including street trees.
- ii. All trees shall be maintained in a manner consistent with accepted pruning and care standards as outlined in applicable ANSI A300 standards.

### **5. ANIMALS**

- i. No federally listed endangered species, state threatened species or habitat, or state sensitive species are known to inhabit within the project boundaries.

### **6. ENERGY AND NATURAL RESOURCES**

- i. The project is not anticipated to impact solar access for the subject property or adjacent properties.
- ii. The project is anticipated to use various forms of energy, such as local electric power, natural gas, solar, and is not anticipated or known to generate a need for power or energy

that would necessitate mitigation or specific service provisions not normally anticipated by service providers.

## **7. ENVIRONMENTAL HEALTH**

- i. If soil contamination is suspected, discovered, or occurs during the proposed construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Washington State Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300.
- ii. If greater than 250 cubic yards of inert, demolition, and/or wood waste is used as fill material, a Solid Waste Handling permit may be required (WAC 173-350-990). It is the responsibility of the applicant to check with the Tacoma Pierce County Health Department for any permitting requirements that may be required.
- iii. The project is not anticipated to contain increased or unusual risks related to fire hazards, explosive materials, toxic chemical storage or manufacture, hazard waste spill risk, nor is the project anticipated or known to increase the risk of health hazards to the environment.
- iv. In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury are removed prior to demolition. PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at:

[www.ecy.wa.gov/programs/hwtr/dangermat/demo\\_debris\\_constr\\_materials.html](http://www.ecy.wa.gov/programs/hwtr/dangermat/demo_debris_constr_materials.html).

## **8. NOISE**

- i. No significant adverse environmental impacts related to noise are anticipated or known to result due to the project.
- ii. Project construction noise shall be compliant with PMC 6.16 – Noise, including time limitations on construction activities starting and stopping work activities for both weekdays and weekends. Special conditions may apply to the project and additional noise mitigation may be applied by the City Engineer or Code Compliance Department during construction.

## **9. LAND USE, COMPREHENSIVE PLAN AND SHORELINE USE**

- i. The project is located in the City's right-of-way and the project implements plans and policy's outlined in the City's 2011 Comprehensive Storm Drainage Plan.
- ii. The site is not presently being utilized for working forest or farmland and, as such, is not converting forest farm, agricultural or other resource lands urban land uses not otherwise contemplated in the city's Comprehensive Plan.

- iii. All demolition work will be compliant with the city's requirements for demolition approval and will be required to notify the Puget Sound Clean Air Agency prior to demolition work commencing, were applicable. Asbestos surveys and any required abatement will be required during demolition permitting/actions.
- iv. The project contains the critical areas noted below. The project has been reviewed for consistency with the city's critical areas ordinance (PMC 21.06).

CRITICAL AREA	
<b>X</b>	Critical aquifer recharge area
	10-year wellhead protection area
	5-year wellhead protection area
	1-year wellhead protection area
<b>X</b>	Geologic hazard area – Volcanic hazard area
	Geologic hazard area – Landslide hazard area
	Geologic hazard area – Erosion hazard area
<b>X</b>	Geologic hazard area – Seismic hazard areas
	Wetland and wetland buffer
	Fish and Wildlife Conservation Area - Stream and/or stream buffer
	Fish and Wildlife Conservation Area – General habitat area
	Flood prone area – 100-year floodplain
	Shoreline of the State

**10. HOUSING**

- i. The project will not adversely impact existing housing units or affect the development of housing units in the general vicinity of the project area.

**11. RECREATION**

- i. The project will not disrupt, displace or otherwise adversely impact any existing recreational opportunities in the area.

**12. HISTORIC AND CULTURAL RESOURCES**

- i. In the event that suspected historic artifacts, cultural artifacts, or objects of suspected archaeological value are discovered during site excavation, grading or other forms of site development/construction, all work on site shall stop immediately. This applies to all development activities that involve excavation regardless of exemption from permit requirements outlined in PMC 21.14.190.
- ii. The property owner/developer shall notify the City, the State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe of Indians, Squaxin Island Tribe, and the Muckleshoot Indian Tribe of any such findings. In these cases, the property owner/developer shall be required to provide for a site inspection and evaluation by a professional archaeologist or historic preservation professional, as applicable, in coordination with the state and/or affected tribes.
- iii. The project applicant and/or contractor shall be required to complete an Inadvertent Discovery Plan (IDP), to the approval of the city, WA State Department of Archeology and

Historic Preservation and affected Tribal governments. The IDP shall be completed in a form supplied by the Department and shall be completed prior to issuance of the civil permit for the site.

- iv. Due to the increased likelihood of discovery of tribal artifacts or other objects of suspected archeological value the project shall be required to mitigate for this potential significant adverse impact by completing a cultural resources survey as described in the mitigation section of this determination.

### **13. TRANSPORTATION**

- i. The project shall be compliant with all standards contained in PMC title 11, Streets and Sidewalks, including roadway improvements, street trees and street lighting.
- ii. The project shall be compliant with the Comprehensive Plan Transportation Element and implementing Active Transportation Plan. Right of way width to accommodate the future addition of pedestrian and bicycle facilities.

### **16. PUBLIC SERVICES**

- i. A resulting need for additional public services, such as police protection, fire protection, library, various other municipal services, etc. is not anticipated from the project.

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Issuance of this threshold determination does not constitute approval of the permit. This proposal will be reviewed for compliance with all applicable City codes that regulate the applicable development activities, including, but not limited to, the International Fire/Building/Residential Codes, City of Puyallup Engineering Standards, Zoning Code, Surface Water Design Manual, Impact Fees, and the Critical Areas Ordinance.

### **MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)**

The responsible official of the lead agency finds that the above-described proposal does not have a probable significant adverse impact on the environment, provided the mitigation measures (attached) are incorporated into the proposal and applied as conditions of permit issuance. The identified mitigation measures include mitigation for potential impacts to the following:

#### **A. Historical and Cultural Resources**

The full text of the identified mitigation measures appears in Attachment A to this document. The mitigation measures and the project documents upon which this determination was based are available for review at the Puyallup Development Services Center, 333 South Meridian, during normal business hours.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c).

This finding is made pursuant to RCW 43.21C, PMC 21.04.120 and WAC 197-11 after reviewing a completed environmental checklist and other information on file with the lead agency as well as considering mitigation measures that the agency or the applicant will implement as part of the proposal. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public upon request.

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**COMMENTS**

Consistent with WAC 197-11-355, the Lead Agency issued a Notice of Application on April 8, 2022 with a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. Therefore, consistent with the optional DNS process outlined in WAC 197-11-355, there is no further comment period for the subject Determination.

**APPEALS**

Consistent with WAC 197-11-545 regarding commenting parties and agencies, an appeal the subject MDNS / DNS may be filed via a written request with the SEPA Responsible Official by applicable parties and agencies **within 10 days of the issuance of this MDNS, or by 3:00pm on August 19, 2022.**

Appeals will be accepted by via the Cityview permit portal only (<https://permits.puyallupwa.gov/Portal>). Please call or email the case planner listed below prior to submission of an appeal, if possible. To file an appeal electronically, please visit <https://permits.puyallupwa.gov/Portal> and select "Apply for a Planning Permit", selecting "Appeal to Hearing Examiner" from the project/permit type drop down when prompted.

- Rachael N. Brown, Associate Planner at (253) 770-3363 or [RNBrown@PuyallupWA.gov](mailto:RNBrown@PuyallupWA.gov)

Prior to submittal and payment of the \$650.00 appeal fee, consult PMC 21.04.205 regarding SEPA Appeals or contact the SEPA Responsible Official at [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) or (253) 864-4165 to ask about the appeal procedures. Be prepared to make specific factual reasons, rationale, and/or the basis for the appeal. This determination will become final if no formal appeals are filed and/or reconsideration requests are made by the expiration date listed above.

Publication Date: August 9, 2022

Notice Published in: Tacoma News Tribune



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Rachael N. Brown  
Associate Planner

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August 4, 2022

Date



Katie Baker, AICP

August 4, 2022

Date

City of Puyallup SEPA Responsible Official

Attachments:

- A. Mitigation Measures
- B. Site Plan
- C. Environmental Checklist

## Attachment A

### Mitigation Measures for Project # PLSSP20220032

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1. **Historic and Cultural Resources:** According to the Statewide Predictive Model, the project is located within an area with a high probability for the presence of cultural resources. Due to the increased likelihood of discovery of tribal artifacts or other objects of suspected archeological value within the project area, the applicant or contractor shall be required to mitigate for this potential significant adverse impact by:
  - a. Hiring an archaeologist who meets the Secretary of the Interior's standards for professional qualifications.
  - b. The archaeologist shall monitor the ground disturbing activities for all phases of the project.
  - c. The archaeologist shall produce report(s) that meets (DAHP) standards for cultural resources reporting.
  - d. Report(s) shall be submitted to the City of Puyallup, the Puyallup Tribe, and the Squaxin Island Tribe for review.