



## City of Buckley Planning Department

### STATE ENVIRONMENTAL POLICY ACT Mitigated Determination of Non-Significance

January 11, 2021

#### Lead agency:

City of Buckley, Washington

#### Agency Contact:

Leticia Wallgren, City Planner  
City of Buckley, Washington  
Buckley City Hall, 933 Main Street  
PO Box 1960,  
Buckley, Washington 98321  
360-829-1921

#### Third Party Reviewer:

Emily Terrell, AICP  
Principal  
Sound Municipal Consultants  
253.709.6044

#### Project Proponent:

Buckley 24 LLC (Agent)  
Attn: Phil Kitzes  
23035 SE 263<sup>rd</sup> St  
Maple Valley, WA 98038

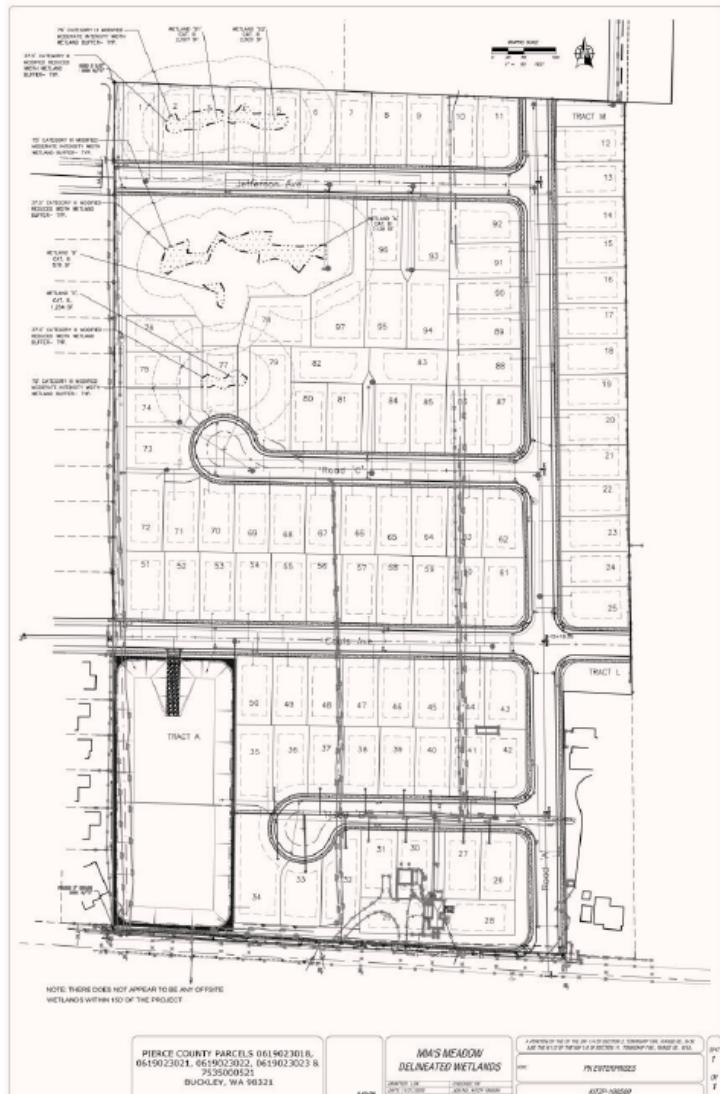
Josh and Jahnna Fetter (Owners)  
8001 West Terrace Drive  
Cheney, WA 99004

#### Project Location:

1722 Ryan Road, Buckley, WA.  
APN 0619023018, 0619023021, 0619023022 & 0619023023

#### Project Description:

Proposed preliminary subdivision of four parcels into 100 single-family residential lots, five (5) new roads (Roads A-C, Couls Avenue and Jefferson Avenue), five (5) drainage and landscape tracts (Tracts 1, 3-6), a tree preservation tract (Tract 2) and eight (8) joint use access tracts (Tracts 7-13).





#### **Wetlands Review:**

The City of Buckley issued a Notice of Complete Application on November 20, 2019. However, further review of the provided wetlands study (B&A, Inc., September 2019) by City staff noted several areas of concern. Consequently, the City requested a review of the wetlands study and a site visit from the Department of Ecology (DOE). The applicant subsequently provided a second wetlands consultation (Leanne Kuhlman Landscape Architecture Services, April 2020). Zach Meyer, Wetlands/Shorelands Specialist from DOE responded with a review of both reports on June 4, 2020. Mr. Meyer also noted several issues with the wetlands studies and requested a site visit. Representatives from the applicant, the City and Mr. Meyer toured the site on June 18, 2020. Upon reviewing the site conditions, Mr. Meyer decided to include other experts from DOE. A second site visit was conducted on July 15, 2020. The DOE visit resulted in an altered wetlands determination with a new report dated November 21, 2020; The City of Buckley is issuing the MDNS to reflect the required mitigation measures based on wetlands studies provided by the applicant and recommendations from the DOE.

#### **SEPA Determination:**

The City of Buckley has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). The necessary mitigation measures are listed below, the Environmental Checklist is attached, and project plans and studies are available at: Buckley City

Hall, 933 Main Street, Buckley, Washington 98321.

**Mitigation Conditions:**

The SEPA Responsible Official, based on the environmental checklist and the plans and environmental studies, has determined that the project will have no significant environmental impact with the following mitigation conditions:

1. The applicant shall revise the Critical Areas Assessment Field Report (November 21, 2020) to reflect compliance with BMC 12.09.030(6)(d) which allows for either modification of buffer width (BMC 12.09.030(6)(b)) through the buffer averaging provisions of BMC 12.09.030(6)(e) OR the reduction mechanisms within the section but not both. The buffer for a Category III wetland may be reduced from 100 feet down to 75 feet pursuant to the process outlined in BMC 12.09.030(6)(i)(A). It may not be further reduced.

**BMC 12.09.030(6)(d) Modification of Buffer Widths:** *The buffer widths of subsection (6)(b) of this section may be decreased through buffer width averaging in subsection (6)(e) of this section or reduction mechanisms of this section.*

2. The applicant shall revise the Critical Areas Assessment Field Report (November 21, 2020) to comply with BMC 12.09.060(6)(e) which requires both a 2:1 ratio of wetlands creation for replaced wetlands and appropriate buffering of the new wetlands pursuant to BMC 12.09.060(6). All newly created wetlands areas shall have appropriate buffers.
3. The applicant shall provide Civil Construction Plans including TESC, grading, road and frontage improvements, stormwater, water and sanitary sewer.
4. The applicant shall provide Street Lighting Plans and photometric calculations demonstrating no light spillage into adjacent or on-site wetlands or their buffers. All lighting shall be shielded to reduce off-site glare.
5. The applicant shall submit a Channelization Plan which identifies the existing and proposed pavement markings and signage adjacent to and on the site.
6. Frontage improvements shall be provided on the north side of Ryan Road and shall include curb and gutter, sidewalk, storm drainage, street lighting, and street widening compliant with Frontage Improvements per Section 4.07 of the City Standards.
7. The applicant shall comply with the requirements of the Washington State Department of Ecology National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges associated with construction activity. No non-treated stormwater may be directed to wetlands or their buffers and the offsite analysis must identify any water quality problems anticipated in the receiving water downstream of the site.
8. The applicant shall revise the stormwater report to meet the City's requirements with specific issues noted in the May 29, 2020 letter from the City's Engineer, Dom Miller of Gray and Osborne, Inc. The final report shall address all components of the stormwater site plan described in Chapter 3 of Volume I of the stormwater manual. The applicant shall describe the drainage courses within the vicinity of the subject property. A SWPPP, and O&M Manual and conveyance calculations must be provided for approval by the City

Engineer. The applicant must provide details for Best Management Practices. Any requested credits shall be described and detailed. Finally, the applicant shall obtain a Department of Ecology Construction Stormwater General Permit.

9. The recommendations of the geotechnical report shall be incorporated into the civil construction plans.
10. The Conceptual Utility Plan should include natural gas, if proposed. Installation of the gas utility shall be in accordance with PSE Standards.
11. The applicant shall describe the purpose, type, total area, and approximate quantities of total fill affected areas of any filling, excavation and grading proposed. All sources of fill should be indicated. Hydrology for the off-site and potential on-site wetlands, if identified, shall be preserved.
12. The applicant shall comply with all other requested revisions from the City Engineer's review letters dated January 17, 2020, May 29, 2020, and August 17, 2020.

**Revision and Re-issuance of MDNS:**

Many of the above mitigation measures have the potential to alter the preliminary plat plans significantly, especially with respect to critical areas and drainage. Should the plans and/or impacts change significantly once the mitigation measures are applied, the City may choose to re-issue the MDNS and re-open the comment period based on new information, if necessary.

**Comment Period:**

This MDNS is issued under WAC 197-11-340(2) and the comment period will end at 4 pm on February 03, 2021.

**SEPA Responsible Official:**

Leticia Wallgren, City Planner  
City of Buckley, Washington  
Buckley City Hall, 933 Main Street  
PO Box 1960, Buckley, Washington 98321  
360-829-1921

Signature   
Date 01/11/2021

**Appeal process:**

Any party may file an appeal of this decision by 4 pm on February 17, 2021 to the Buckley Hearing Examiner following the procedures found in BMC Title 20.