

FILE COPY

COUNTY COMMISSIONERS

Carolina Mejia, District One
 Gary Edwards, District Two
 Tye Menser, District Three
 Wayne Fournier, District Four
 Emily Clouse, District Five

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Creating Solutions for Our Future

Joshua Cummings, Director

FINAL MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Mailed On December 7, 2023

Project Description: The proposal would establish and operate a children's environmental education center on a parcel located within Shoreline Master Program jurisdiction and encumbered by multiple critical areas. The zoning is Rural Residential/Resource One Dwelling Unit per Five Acres (RRR1/5) in unincorporated Thurston County.

Owner/Applicant: Capitol Land Trust**Point of Contact:** Laurence Reeves, Capitol Land Trust**Project Name:** Inspiring Kids Preserve**Land Use Case No.:** 2020104385 (20 111033 ZM, 20 111034 XI, 20 111035 XD, 20 111036 XB)**SEPA Case No.:** 2020104385 (20 111037 XA)**Tax Parcel Nos.:** 11928320500, 11928230100, 11928230200, 11929110500, 11928220800, 11929140000, 11929440200, 11928320000**Location/Legal Description:** 4849 Johnson Point Rd. NE / multiple *legal dx* / Section 28 Township 19 Range 1W

An application for this project was submitted to Thurston County on September 16, 2020 by the Capitol Land Trust. The application was deemed to be complete for the purpose of beginning the project review on October 6, 2020. A 20-day notice of application was issued for these projects on March 25, 2022, with a SEPA Mitigated Determination of Nonsignificance. This SEPA determination was not appealed.

There is no additional comment period for a Final SEPA Determination.

The project reviewed through SEPA includes forest conversion permit for clearing of approximately 56,118 square feet of land, comprised of 3rd growth forest, and construction of new driveway access with hub and associated parking for 25 vehicles, an outdoor pavilion, porta-pottie and storage enclosure, and ADA accessible nature trails. New driveway access point meets minimum safety standards for sight-distance allowance on Johnson Point Rd, as well as bus entrance and turn-around needs for expected school usage of the nature preserve facilities. The proposed site development actions will directly impact 707 square feet of wetland, and 50,856 square feet of wetland buffers, with an additional 18,296 square feet of buffer conversion. Total cut volume for the project is expected to be 3312 cubic yards, and fill volume is expected to be 463 cubic yards. The proposed use requires Thurston County Hearings Examiner approval of a Special Use Permit, and Reasonable Use Exception, with associated administrative Critical Area Review and Forest Conversion permits.

This application and any related documents are available for public review during normal business hours at the Thurston County Building Development Center at 3000 Pacific Avenue SE, Suite 100, Olympia, Washington 98501. Please make an appointment if you would like to view the application materials in office. To view application materials online go to: <https://weblink.co.thurston.wa.us/dspublic/customsearch.aspx?searchname=search>. For additional information, please contact Heather Tschaekofske, Associate Planner/Biologist, at (360) 786-5553, or via email heather.tschaekofske@co.thurston.wa.us

3000 Pacific Ave. SE, Ste. 100, Olympia, Washington 98501 (360) 786-5490/FAX (360) 754-2939
 TDD (360) 754-2933 Website: www.co.thurston.wa.us/permitting

2020104385 Capitol Land Trust/Inspiring Kids Preserve // Special Use, RUE, SEPA CARP, Forest Conversion

Comment period end date: N/A (no comment period)

Request additional information regarding the project from:

Thurston County CPED
Heather Tschaekofske, Associate Planner/Biologist
3000 Pacific Avenue SE, Suite 100
Olympia, WA 98501
(360) 786-5553
heather.tschaekofske@co.thurston.wa.us

Permits Requested by the Applicant: Special Use Permit, Reasonable Use Exception Permit, Critical Area Review Permit, SEPA Environmental Checklist, Forest Lands Conversion

Other permits that must be obtained, to the extent known by the County, include: Future building permit, Army Corp permit

Environmental and Other Documents Submitted with the Application: Special Use, Reasonable Use Exception, Forest Conversion and Critical Area Review Permit Applications; critical area reports, drainage reports, cultural resource survey, and site plans.

Additional Information or Project Studies Requested by the County: Archaeological Resource Survey conducted.

No preliminary determination of consistency with County development regulations has been made. At a minimum, this project will be subject to the following plans and regulations: Thurston County Comprehensive Plan, Thurston County Zoning Ordinance (TCC 20), Critical Areas Ordinance (TCC Title 24), Stormwater Drainage Design and Erosion Control Manual (TCC 15.05), Uniform Building Code (TCC 14), and State Environmental Policy Act (SEPA) Ordinance (TCC 17.09) and Shoreline Master Program for the Thurston Region (TCC 19).

This determination has been provided to appropriate local and state agencies, tribes, sub-area project list subscribers, and property owners within 500-feet of the project site and others who have requested to be placed on the mailing list.

MITIGATED DETERMINATION OF NONSIGNIFICANCE CONDITIONS:

The environmental threshold determination is based on analysis of information contained in the following documents:

- Master, Special Use, Reasonable Use Exception, Forest Lands Conversion, and Critical Area Review Permit applications; September 18, 2020, revised October 9, 2023
- SEPA Environmental Checklist, September 18, 2020, revised October 9, 2023
- Project Narrative, September 18, 2020, revised October 9, 2023
- Site Plans and Figures, received September 18, 2020, revised October 9, 2023
- Drainage & Erosion Control Plans, dated June 3, 2020
- TC Water Resources, Shannon Peterson; Response, Stormwater Scoping Report; November 24, 2020
- Ecology Comment letter; October 20, 2020, and April 14, 2022
- Environmental Health memorandum
- Public Works approval memorandum
- The Watershed Company, Ryan Kahlo; Critical Areas Report; August 21, 2020, revised October 24, 2022
- Earthwork Services, Technical Letter, grading calcs/figures; July 22, 2020
- Geotech Technical Memorandum; Lance Levine, PE & Calvin McCaughan, PE; dated July 28, 2020

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TDD (360) 754-2933 Website: www.co.thurston.wa.us/permitting

- Squaxin Island Tribe Comment emails
- Dept. of Archaeology & Historic Preservation (DAHP) letter and emails
- Nisqually Indian Tribe Comment letters
- Archaeological Survey and Assessment; Camille A. Mather; dated March 14, 2022 (confidential)

CONDITIONS of APPROVAL:

- 1) Inadvertent Discovery. In the event that archaeological deposits or skeletal material or features of a burial/interment situation are encountered, all work in the vicinity must stop immediately and contact made with the Washington State Historic Preservation Officer, the Nisqually Indian Tribe, any other affected Tribe, and Thurston County Community Planning and Economic Development (CPED).
- 2) Erosion and storm water control Best Practices meeting Thurston County standards; Chapter 15.05 shall be employed during all phases of the project. Proper erosion and sediment control practices shall be used on the construction site and adjacent areas.
- 3) Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state.
- 4) During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
- 5) Solid Waste Management. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department. All debris must be disposed of at an approved site. Contact the local jurisdictional health department for proper management guidance. Derek Rockett (360) 407-6287.
- 6) U.S. Army Corps Jurisdictional Determination. Ecology recommends that the applicant request a jurisdictional determination from the Corps. If the Corps determines that the wetlands to be impacted are not waters of the U.S., Ecology will regulate the proposed wetland impacts under the State Water Pollution Control Act, RCW 90.48. Rebecca Rothwell, Wetlands/Shorelands Specialist (360) 407-7273
- 7) Tacoma Smelter Plume / Toxics Cleanup. This proposed project is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma (visit Ecology's Tacoma Smelter Plume map search tool: <https://fortress.wa.gov/ecy/smeltersearch/>). Soil contamination from the former Asarco smelter poses a risk to human health and the environment. Children are at especially high risk from direct exposure to contaminated soil. Construction workers, landscapers, gardeners, and others who work in the soils are also at risk. Ecology recommends that the lead agency include the following as conditions of approval, prior to the issuance of any site development permits or the initiation of grading, filling, or clearing:
 - Sample the soil and analyze for arsenic and lead following the 2012 Tacoma Smelter Plume Guidance. The soil sampling results shall be sent to Ecology for review. If the project includes open space areas, contact the Technical Assistance Coordinator, Eva Barber, for assistance in soil sampling methodology within the open space area.
 - If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels

(Chapter 173-340 WAC); the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The MTCA cleanup level for arsenic is 20 parts per million (ppm) and lead is 250 ppm.

- If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, the applicant shall: 1) Develop soil remediation plan and enter into the Voluntary Cleanup Program with Ecology. For more information on the Voluntary Cleanup Program, visit Ecology's website at: <http://www.ecy.wa.gov/programs/tcp/vcp/vcpmain.htm>. 2) Obtain an opinion letter from Ecology stating that the proposed soil remediation plan will likely result in no further action under MTCA. The applicant shall provide to the local land use permitting agency the opinion letter from Ecology. 3) Prior to finalizing site development permits, provide to the local land use permitting agency "No Further Action" determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.
- If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children's play areas. Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.

The link below provides a fact sheet that explains more how the arsenic and lead clean-up levels were set and why Ecology sees that they are protective for human health:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1109095.html>. For assistance and information about Tacoma Smelter Plume and soils contamination, the applicant shall contact, Eva Barber with the Toxics Cleanup Program at (360) 407-7094 or via email at Eva.Barber@ecy.wa.gov

NOTES:

- This project may require a construction stormwater permit from the WA State Dept. of Ecology (also known as National Pollution Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction). It is the applicant's responsibility to obtain this permit if required.

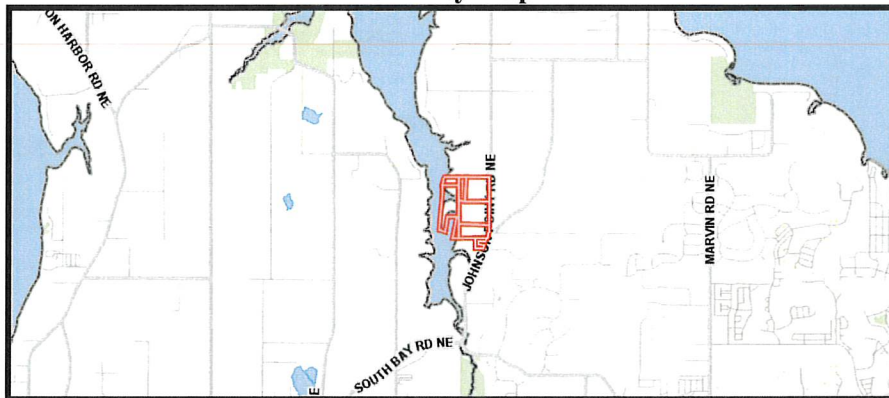
This permit is required for projects which meet both of the following conditions:

- One or more acres of soil surface area will be disturbed by construction activities.
 - The site already has offsite discharge to waters of the state or storm drains or will have offsite discharge during construction.
 - Information about the permit and the application can be found at:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>
- The project shall comply with the Thurston County Critical Areas Ordinance, the Thurston County Zoning, Shoreline Master Program and all required local, state or federal permits.

Summary

Thurston County Community Planning and Economic Development has determined that the requirements for environmental analysis, protection, and mitigation have been adequately addressed in the above conditions and notes, in conjunction with the requirements of the site zoning and the Comprehensive Plan adopted under chapter 36.70A RCW, and in other applicable local, State, or Federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Other than the conditions listed above, this Department will not require additional mitigation measures under SEPA. Additional conditions may be added / attached to the project permit as a result of comments and information received.

Vicinity Map



2019 Aerial Photo



Site Plans (next pages)

EXHIBIT 6
Hub Site Map
Inspiring Kids
Preserve

Capitol Land Trust Lacey, WA

Robert W. Droll
LANDSCAPE ARCHITECT, P.L.L.C.



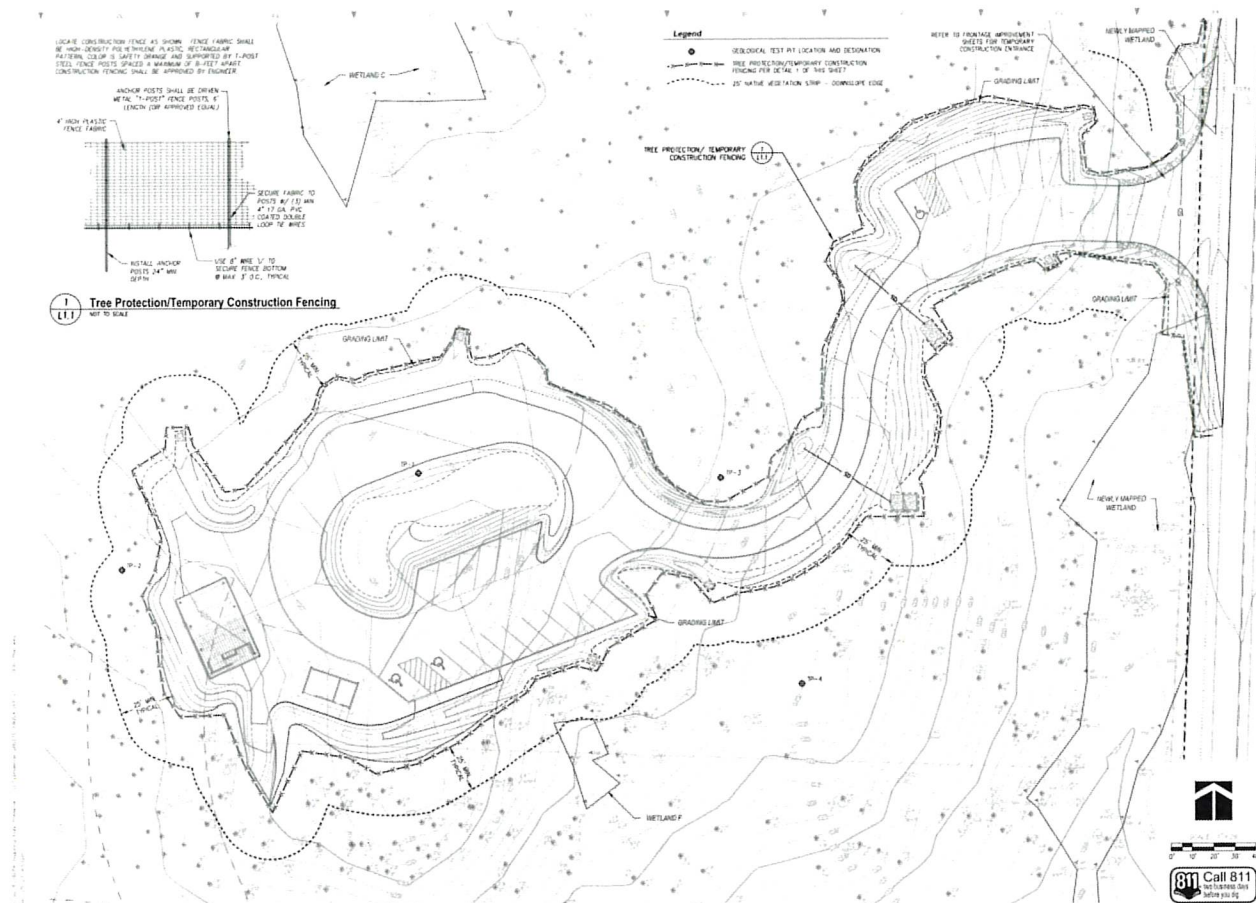
60% REVIEW SUBMITTAL - NOT FOR CONSTRUCTION

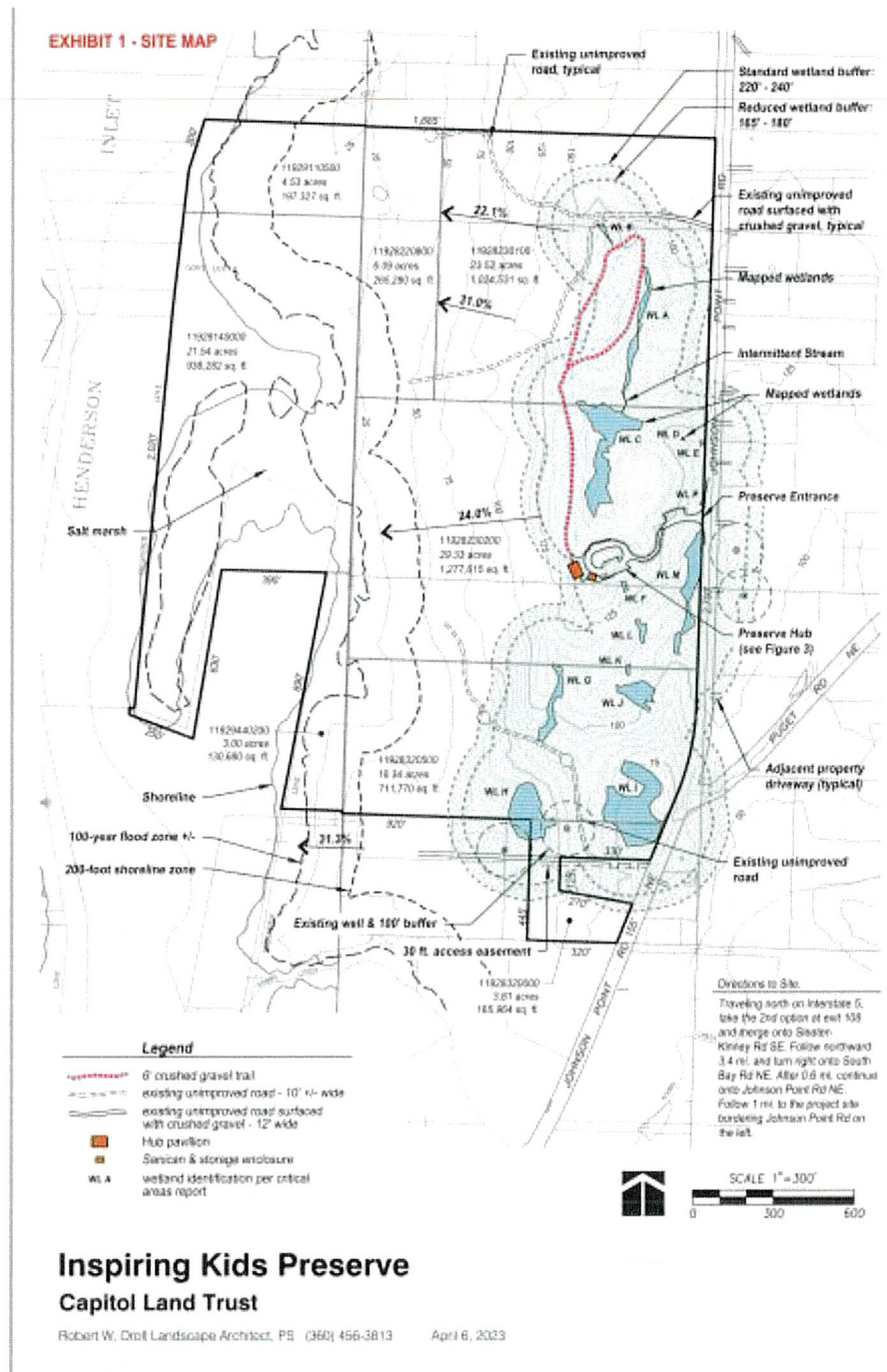
PROJECT NO.	18054
DRAWING	
DESIGNED BY	RL, TW
DRAWN BY	FW
CHECKED BY	NO
REVISION	
DATE	MAY 25, 2021

TESC Plan

L1.1

Sheet of





2020104385 Capitol Land Trust/Inspiring Kids Preserve // Special Use, RUE, SEPA CARP, Forest Conversion

Delicia Durden

From: Delicia Durden
Sent: Friday, December 8, 2023 1:29 PM
To: Rich Felsing; Arthur Saint; Tye Menser; Gary Edwards; Carolina Mejia-Barahona; Joshua Cummings; Brett Bures; 'Schroeder, Rebecca (ECY)'; Mark Biever; US Army Corp of Engineers, Matt Bennett; US Army Corp of Engineers, Brandon Clinton; Bright, Robert D CIV USARMY ID-READINESS (USA); 'DNRREAQLEASINGSHORELINE@dnr.wa.gov'; WA Dept of Revenue, Bernhard Kruetz; WA Dept of Revenue, Jim Hazzard; Brian VanCamp; NTPS, Dean Martinolich; Bobby May; Chehalis Tribe; Chehalis Tribe, Amy Loudermilk; Chris Edmark; DAHP; derekeking@gmail.com; DevRev_Tech; DNR SEPA Center (mining); EH_Land_Use; Intercity Transit, Mike Burnham; Intercity Transit, Rob LaFontaine; Intercity Transit, Steve Swan; Jackie Wallner ORCAA (aaron.manley@orcaa.org); Kelli Root; Michael Murphy; Nisqually Tribe, Annette Bullchild; Nisqually Tribe, Brad Beach; Nisqually Tribe, Joe Cushman; Nisqually Tribe, Ken Choke; Puget Sound Energy, Amy Tousley; Ryan Langan; Shannon Peterson; Sonja Cady; Squaxin Tribe, Eric Marbet; Squaxin Tribe, Melissa Puhn; szaniewski@squaxin.us; Squaxin Tribe, Scott Steltzner; Squaxin Tribe, Shaun Dinubilo; tcaddressing; The Olympian; Thurston 911 Communications, Jason Guthrie; John Weidenfeller; Kim Gubbe; Tim Rubert; Torren Valdez; TRPC, Michael Ambrogi; WA Dept of Ecology; 'WA Dept of Health'; WDFW, Region 6 - South Sound; Williams Gas Pipeline, Clay Gustaves; WSDOT, Andy Larson; Zach Severs
Cc: Heather Tschaekofske
Subject: Final MDNS - Project #2020104385 - Inspiring Kids Preserve
Attachments: 2020104385 Final MDNS.pdf; 2020104385 SEPA.pdf

Please see the attached SEPA FINAL (MDNS) Mitigated Determination of Nonsignificance

Project: 2020104385 – Inspiring Kids Preserve
Located at: 4849 Johnson Point Road NE, Olympia
Lead Project Planner: Heather Tschaekofske, Associate Planner
heather.tschaekofske@co.thurston.wa.us / 360-786-5553

Description: The project reviewed through SEPA includes forest conversion permit for clearing of approximately 56,118 square feet of land, comprised of 3rd growth forest, and construction of new driveway access with hub and associated parking for 25 vehicles, an outdoor pavilion, porta-pottie and storage enclosure, and ADA accessible nature trails. New driveway access point meets minimum safety standards for sight-distance allowance on Johnson Point Rd, as well as bus entrance and turn-around needs for expected school usage of the nature preserve facilities. The proposed site development actions will directly impact 707 square feet of wetland, and 50,856 square feet of wetland buffers, with an additional 18,296 square feet of buffer conversion. Total cut volume for the project is expected to be 3312 cubic yards, and fill volume is expected to be 463 cubic yards. The proposed use requires Thurston County Hearings Examiner approval of a Special Use Permit, and Reasonable Use Exception, with associated administrative Critical Area Review and Forest Conversion permits

Adjacent Property Owners
2020104385 – Inspiring Kids Preserve
December 7, 2023
500' mail radius

MOODY, LARRY & JANINE
4315 54TH AVE NE
OLYMPIA, WA 98516

~~MOODY, LARRY A & JANINE
4315 54TH AVE NE
OLYMPIA, WA 98516~~

LIEDERBACH, JESSICA
8149 WALNUT RD NE
OLYMPIA, WA 98516

LIEDERBACH, THOMAS
5224 SLEATER KINNEY RD NE
OLYMPIA, WA 98506

REDMAN, JOHN E
5148 SLEATER KINNEY RD NE
OLYMPIA, WA 98506

BACZAY, LASZLO N
5124 SLEATER KINNEY RD NE
OLYMPIA, WA 98506

DAY, DEREK
4728 SLEATER KINNEY RD NE
OLYMPIA, WA 98506

LATANAFRANCIA, RUDY A & MARITES S
7339 33RD AVE NE
LACEY, WA 98516-1402

JOY JR, LARRY R
3220 N 25TH ST
TACOMA, WA 98406

GRAHAM, GARY L & ORAWAN
5340 JOHNSON POINT RD NE
OLYMPIA, WA 98516

NEITZEL, JAMES N & GRACE L
5348 JOHNSON POINT RD NE
OLYMPIA, WA 98516

FOLEY, KYM
5344 JOHNSON POINT RD NE
OLYMPIA, WA 98516

MARTIN, DERON S
5431 JOHNSON POINT RD NE
OLYMPIA, WA 98516

LEONARD, SYDNEY R
5445 JOHNSON POINT RD NE
OLYMPIA, WA 98516

CUELLAR, VERENISE GOMEZ & EDUARDO
5443 JOHNSON POINT RD NE
OLYMPIA, WA 98516-9129

**CAPITOL LAND TRUST
ATTN: BOB DROLL
PO BOX 14065
TUMWATER, WA 98511-4065**

BAKER SR, TIMOTHY L
5447 JOHNSON POINT RD NE
OLYMPIA, WA 98516

FORD, MARYKA
7625 ATCHINSON CT SE
OLYMPIA, WA 98513

UPTON, JOSEPH M & DIANE R
5220 JOHNSON POINT RD NE
OLYMPIA, WA 98516

BURNS, L J
5316 JOHNSON POINT RD NE
OLYMPIA, WA 98516

CAMPBELL, DANIEL L
5244 JOHNSON POINT RD NE
OLYMPIA, WA 98516

TUMBLIN, ADAM
5246 JOHNSON POINT RD NE
OLYMPIA, WA 98516-9531

WOODSIDE, CHRISTOPHER S & RHONDA K
5242 JOHNSON POINT RD NE
OLYMPIA, WA 98516

HARN, SCOTT
5140 JOHNSON POINT RD NE
OLYMPIA, WA 98516

OREAR, JAKE & MOLLY
4506 SLEATER KINNEY RD NE
OLYMPIA, WA 98506-9648

BAHR, SANDRA H
5318 JOHNSON POINT RD NE
OLYMPIA, WA 98516

PAULL, NATHAN ERIK
5128 JOHNSON POINT RD NE
OLYMPIA, WA 98516

HALE, JANET R & JOEL F
5022 PUGET RD NE
OLYMPIA, WA 98516

CALVERT, ROSS
4948 JOHNSON POINT RD NE
OLYMPIA, WA 98516

WATSON ALVAN, SAMUEL & DONNA
5032 JOHNSON PT RD NE
OLYMPIA, WA 98516

UPTON, MARK & JULIE
5025 PUGET RD NE
OLYMPIA, WA 98516

KUMAR, KESHAV
448 W LAKE SAMAMMISH PKWY NE
BELLEVUE, WA 98008

~~HAPPY CAMPER
4846 JOHNSON POINT RD NE
OLYMPIA, WA 98516~~

KENNEDY, MARK W & JENNIFER M
4843 JOHNSON POINT RD NE
OLYMPIA, WA 98516

HOWE, DARRELL
3211 S WASHINGTON ST
SEATTLE, WA 98144

UNDERBERG, MARK J
2634 COUNTRY CLUB CT NW
OLYMPIA, WA 98502

HAPPY CAMPER OF WASHINGTON LLC
4846 JOHNSON POINT RD NE
OLYMPIA, WA 98516

~~HAPPY CAMPER
4846 JOHNSON PT RD NE
OLYMPIA, WA 98516~~

HILL, MARK & SHAWNA
4845 JOHNSON POINT RD NE
OLYMPIA, WA 98516

NEWMAN, KIM E
4644 JOHNSON POINT RD NE
OLYMPIA, WA 98516

DUGGAR, KELSEY ANN
4625 JOHNSON POINT RD NE
OLYMPIA, WA 98516

JENSEN, DOUGLAS K
4711 JOHNSON PT RD NE
OLYMPIA, WA 98516

WILLIAMS, ROY A
4800 JOHNSON POINT RD NE
OLYMPIA, WA 98516

JENSEN, KAREN
4809 JOHNSON POINT RD NE
OLYMPIA, WA 98516

MOLITOR, RONALD THOMAS
5225 CROSS CREEK LN NE
OLYMPIA, WA 98516

PLEASANT FOREST CAMPING CLUB
4922 PUGET RD NE
OLYMPIA, WA 98516

NOENSCO LLC
6617 IVY HILL DR
MCLEAN, VA 22101

NISQUALLY INDIAN TRIBE
4820 SHE NAH NUM DR SE
OLYMPIA, WA 98513

BAKER JR, DAWN M & KEITH W
7920 BOX ELDER DR SW
OLYMPIA, WA 98512

MAKAROW, IRINA
5402 SOUTH BAY TER NE
OLYMPIA, WA 98516

MARTIN, DANTE M
1228 N 48TH ST
SEATTLE, WA 98103

O REAR, JAKE
4506 SLEATER KINNEY RD NE
OLYMPIA, WA 98506

HENDRICKSON, RICHARD J & BETTY A
5400 SOUTH BAY TER NE
OLYMPIA, WA 98516

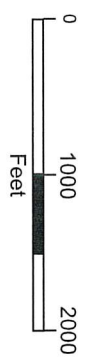
**CAPITOL LAND TRUST
ATTN: BOB DROLL
4405 7TH AVENUE SE, SUITE 306
LACEY, WA 98503**

2020104385

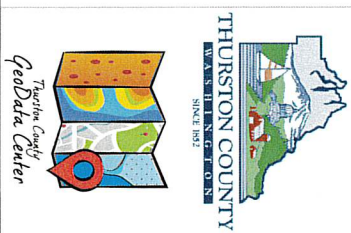
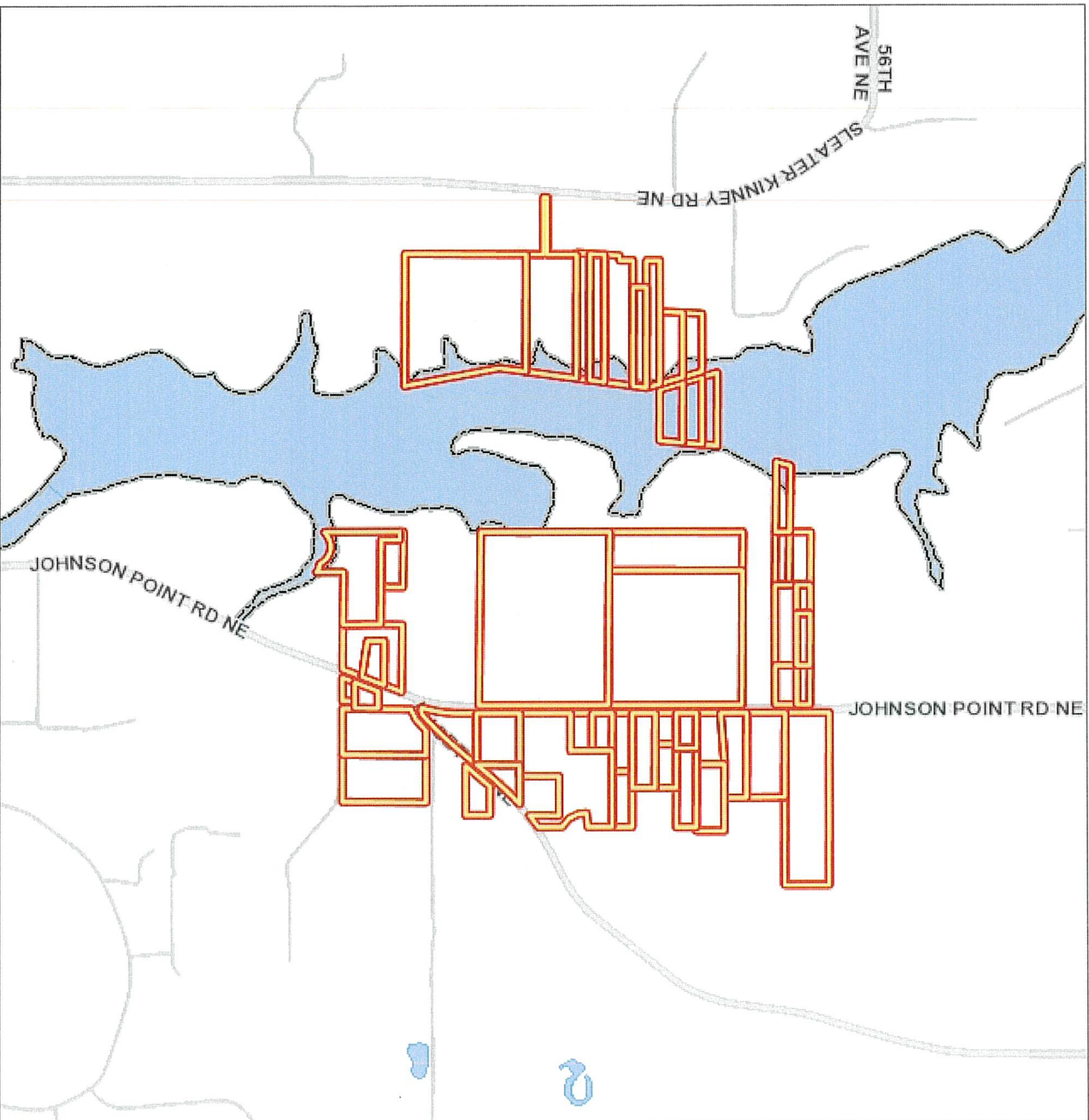
 Parcel Boundaries

Legend

Scale 1: 21,476



Author: Delicia Durden
Published: 12/7/2023
Note: 500' mail radius



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