**City of Edgewood**
2224 104th Ave East, Edgewood WA 98372-1513
Phone: (253) 952-3299 Fax: (253) 952-3537

# *DRAFT* Mitigated Determination of Nonsignificance (MDNS)

**WAC 197-11-355**

**APPLICATION NUMBER:** **#4063 JOVITA CROSSROADS TRAILHEAD PARK CONSTRUCTION**

**LOCATION:** 19 114th Avenue East, Edgewood, WA 98372

**TAX PARCEL NUMBERS:** 4845000030, 4845000040, 4845000050

**ACTION:** The City proposes to construct the Jovita Crossroads Trailhead Park. The project includes the installation of nine (9) non-ADA and two (2) ADA (1-van-accessible) parking spaces and a separated ADA-accessible restroom with a drinking fountain; two (2) covered picnic areas with ADA-accessible benches. An ADA-accessible walking trail has been incorporated into the design. An informational kiosk with distinctive signage will be placed within the park. There will be landscaping enhancements at key locations within the park and minor wetland buffer averaging.

**PROPONENT:** City of Edgewood

**APPLICANT:** City of Edgewood
ATTN: Joe Seet, P.E., Public Works Director
2224 104th Avenue East
Edgewood, WA 98372-1513

**LEAD AGENCY:** City of Edgewood

The Responsible Official of the City of Edgewood hereby makes the following findings of fact and conclusions based upon a review of the SEPA Environmental Checklist, attachments, other information on file with the City of Edgewood and the policies, plans, and regulations designated by the City of Edgewood as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act (SEPA) pursuant to RCW 43.21C.060.

## FINDINGS OF FACT (GENERAL):

1. The City of Edgewood began developing a plan for construction of the Edgewood portion of the Interurban Trail and Trailhead Park in 2005.

2. The full trail plan within the City of Edgewood is broken into three phases of work. This SEPA MDNS addresses the Jovita Crossroads Trailhead Park, a part of Phase I of the trail plan.

3. Future phases of work include construction of the eastern trail section beginning on the east side of 114th Avenue East and ending at the City of Pacific, completing Edgewood's Interurban Trail segment.

4. The trailhead park is located at 19 114th Avenue East adjacent to the Interurban Trail corridor on City-owned park property and will consist of a parking lot designed to accommodate eleven vehicles, a restroom facility, two picnic shelters and an internal pathway/trail.

Critical Areas

5. The wetland report prepared by Sewall Wetland Consulting identified eight wetlands and one creek near the existing rail corridor and proposed trail as well as within the trailhead park property. The report provides clarification that no wetlands or creeks exist within the planned trail construction area. A small area of the wetland buffer has been averaged in accordance with EMC 14.30 to accommodate a sidewalk. This buffer averaging is discussed within the Sewall Wetland Consulting Wetland Addendum. The Stormwater Pollution Protection Plan (SWPPP) provides measures to assure protection of critical areas and buffers during construction of the park.

Earth:

6. The construction of the trailhead park will require the movement of approximately 3,000 cubic yards of total material. Other material movement includes the import of topsoil for planting areas.

7. Imported fill material will be from a clean and approved source.

8. Stormwater associated with the new park will be handled in accordance with Edgewood Municipal Code (EMC) Chapter 13.05 which adopts the 2005 Department of Ecology Stormwater Management Manual for Western Washington with local amendments.

9. Erosion control will be in place in accordance with the EMC and BMP. A SWPPP was submitted with the Site Development Permit application. The SWPPP will include a Temporary Erosion and Sediment Control (TESC) Plan to prevent deleterious materials from entering stormwater or other adjacent waters or properties.

10. A construction stormwater permit is not required as less than one acre of soil-disturbing activity will occur during construction of the trailhead park. If greater than one acre of soil-disturbing activity occurs, the City will obtain a construction stormwater permit.

11. All areas of the project site that are disturbed and are not planned for hardscape and parking shall be re-vegetated with native plants and grasses, as appropriate. Previously disturbed areas of the trail prism associated with wetland buffers shall be seeded or planted with appropriate native grass and planting mixes.

12. All staging areas utilized during construction will be located outside of critical areas and buffers and will require TESC measures be followed at all times in accordance with site development requirements.

Air

13. Temporary emissions will occur during construction of the park associated with construction equipment and potential vehicular detours. Wind blown dust could occur from construction during the drier months. Watering or other dust control methods will be required as a condition of site development permits.

Water

14. Work associated with the project will occur within the vicinity of surface water features. These water features include wetlands and a stream located approximately 85-100 feet south of the park property. All proposed work will occur outside of surface water features.

15. The project proposal will not include the placement or removal of fill or dredged material from wetlands or streams.

16. Erosion and sediment control associated with water runoff will be provided at all times during construction of all portions of the project.

Environmental Health

17. Fueling and oiling/greasing of construction equipment will be done off-site to prevent any gasoline or oil spills. Any oil and/or grease (petroleum products) leaking from construction equipment or vehicles shall follow the requirements of DOE for cleanup. Emergency spill kits will be located strategically along the project according to the SWPPP and employees will be trained in their proper use.

18. If construction is necessary during night time hours, it will be done in conformance with the City of Edgewood noise standards which adopts by reference Pierce County Code Section 8.76.060.

19. The proposal will have no significant impact on animals, water, noise, environmental health, public services or land use. Additionally, no significant historic or cultural resources have been identified within the proposed project site.

Traffic

20. Pursuant to EMC 4.30, new City parks shall pay a traffic impact fee. Traffic Impact fees for City parks are calculated using an adjusted Peak Hour Trip (PHT) rate of .09 PHTs and use acreage as the unit for fee determination. The 1.41-acre park has a traffic impact fee of $144.90, plus a 5% administrative fee of $7.25. This fee is due prior to permit issuance.

**CONCLUSIONS OF RESPONSIBLE OFFICIAL:**

The lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed mitigation measures. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The Responsible Official makes this decision after review of a completed SEPA Environmental Checklist, supporting environmental documents and other information on file with the lead agency. This information is available to the public on request.

This Mitigated Determination of Nonsignificance (MDNS) is issued under WAC 197-11-355. The lead agency will not act on this proposal for 14 days from the date of the decision by the responsible official.

The mitigation measures contained herein are required as authorized under the Substantive Authority of SEPA, in accordance with WAC 197-11-660 and shall be implemented by the project proponent.

REQUIRED MITIGATION MEASURES:

1. A Site Development permit for the park construction shall be obtained and issued prior to beginning any construction work.

2. The wetland report prepared by Sewall Wetland Consulting anticipates a minor buffer impact to the on-site Category III wetland. An addendum to the wetland report addresses this small impact by using buffer average as permitted within EMC 14.30, wetlands. The area of impact is approximately 200 square feet. If during construction, impacts to the on-site wetland or wetland buffers occur, mitigation shall be provided in accordance with EMC 14.30, Wetlands. All impacts to disturbed wetland buffers associated with the park shall be seeded with a special wetland buffer seed mix at the completion of trail construction. Application of the seed mix shall be applied at a rate of no less than three pounds per 1,000 square feet.

3. The TESC plan shall be followed and kept current as construction of the park progresses. A Certified Erosion/Sediment Control Lead (CESCL) shall provide inspection reports weekly to the City of Edgewood during construction of the park. Additionally, the contractor shall provide inspections during or immediately after major storm events to assure plan compliance is maintained throughout the construction process.

4. During construction the stockpiling of excavated materials or backfill materials shall meet the TESC plans and specifications as approved. All stockpiling shall occur outside of critical areas and their associated buffers.

5. The applicant shall follow the appropriate BMPs to minimize track-out and windblown dust and take appropriate remedial actions throughout the life of the construction project.

6. Construction staging and equipment storage areas shall follow the approved TESC plan. Additional staging area TESC plans shall be provided for approval as new staging areas are obtained. Abandoned staging areas no longer in use shall be restored and stabilized in accordance with the approved plans.

7. Staging areas will require the submittal of a Temporary Use Permit application from the contractor to the City of Edgewood if the staging occurs outside of the project limits.

8. A Construction General Stormwater Permit is not required unless more than one acre of soil disturbing activity occurs. If greater than one acre of soil disturbing activity occurs, the contractor shall obtain and maintain a permit through the DOE in accordance with the National Pollution Discharge Elimination System (NPDES) requirements. This will include publication of the appropriate Notice of Intent (NOI).

9. Construction noise shall conform to the Noise Standards as outlined within EMC Title 8 (PCC 8.76.060 as adopted by the City of Edgewood). Noise shall be limited at property lines based on the appropriate noise classification level and the surrounding land use types.

10. Equipment staging and entering and leaving roads and their associated impacts to street operations shall be addressed in the traffic control plans submitted for approval to the appropriate jurisdictions prior to commencing construction.

11. 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 soil of the state. The cleanup of spills shall take precedence over other work on the site.

12. Provisions for tire washing of vehicles or approved construction entrance alternatives (e.g. quarry spalls) shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done only after the area has been shoveled out or swept.

13. The applicant shall pay a traffic impact fee of $144.90 plus a 5% administrative fee of $7.25 prior to future permit issuance.

14. Geotechnical recommendations shall be followed during all soil disturbing activities.

15. The owners' contractor shall generate an emergency contact list for use by inspectors, emergency response officials, and service providers to facilitate prompt response to emerging situations requiring immediate attention during construction.

| | |
|---|---|
| **RESPONSIBLE OFFICIAL:** | Eric C. Phillips, AICP |
| **POSITION/TITLE:** | Community Development Director |
| **ADDRESS:** | 2224 104th Avenue East, Edgewood, WA 98372-1513 |
| **STAFF CONTACT:** | Kevin Stender, Senior Planner (253) 952-3299 |
| **DATE OF ISSUE:** | July 25, 2011 |
| **DATE OF PUBLICATION:** | July 27, 2011 |
| **DEADLINE FOR APPEAL:** | **September 1, 2011** |

Date _____ Signature_____
Responsible Official

---

**APPEAL:** Any agency or person may appeal the responsible official's environmental determination on decisions as set forth in EMC Chapter 20.05. Appeals of this decision will be accepted until 5:00 PM, September 1, 2011. A notice of appeal together with the appropriate fee shall be filed with the City of Edgewood within 14 days of the date of the environmental determination of the Responsible Official. Appeals shall conform to the procedural and substantive requirements set forth in EMC Section 20.05.170, shall be accompanied by the $2,000 appeal fee and shall be submitted to the City of Edgewood, at 2224 104th Avenue East, Edgewood, WA 98372-1513. Please call Kevin Stender at (253) 952-3299 if you have any questions. The letter of appeal will not be considered accepted by the City unless the required fee is included. The person appealing will then be notified of a hearing date, and public notice will be provided consistent with the Edgewood Municipal Code.

**NOTE**: The issuance of this Mitigated Determination of Nonsignificance does not constitute project approval. The applicant must comply with all other applicable requirements of City of Edgewood Departments and/or the Hearing Examiner prior to beginning construction.