

## MITIGATED DETERMINATION OF NONSIGNIFICANCE

SEPA/Case Number: 23-0180

**Description of Proposal:** The Morel Meadows plat represents a planned subdivision of 32 acres into 179 single family lots. The subdivision is designed as a Planned Residential Development, which provides for flexibility in zoning requirements, specifically related to the minimum lot sizes. The site is located within the Low-Density Residential Zoning District, which requires a density range of 3 to 6 dwelling units per acre. The base density range for the project is 96 to 193 units. A density bonus is not being proposed with the Planned Residential Development.

**Proponent:** Haton Godat Pantier  
3910 Martin Way E, Ste B,  
Olympia, WA 98506

**Location of Proposal:** The project site is located at 8322 Steilacoom Road SE, Lacey, WA 98513. Thurston County tax parcel numbers 11814140500 and 11813220300. The site is in a portion of the SE 1/4 of the NE 1/4, Section 14 and the SW 1/4 of the NW 1/4, Section 13, all in Township 18 North, Range 2 West.

**Lead Agency:** City of Lacey Community Development Department

**Threshold Determination:** As provided by RCW 43.21C.240 and WAC 197-11-158, the lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the applicable development regulations and comprehensive plan adopted under Chapter 36.70A RCW and in other local, state, or federal laws or rules. Therefore, this proposal is not likely to have a significant adverse impact upon the environment, an Environmental Impact Statement is not required under RCW 43.21C.030(2)(C), and the City of Lacey will not require additional mitigation measures under SEPA. This decision was made after review of an Environmental Checklist and other information on file with the City. This information is available to the public upon request.

There is no comment period for this DNS.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days. Comments must be submitted by [Click [here](#) and type date]

The comment period, pursuant to WAC 197-11-355, was combined with the Notice of Application comment period, using the Optional DNS Process. The comment period closed on 10/4/2023.

### Environmental Conditions:

1. Prior to site disturbing work the soils on site shall be sampled and analyzed for arsenic and lead. The soil sampling results shall be sent to the Department of Ecology (ECY) for review.
2. If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (WAC 173-340) the owners, potential buyers, construction workers and others shall be notified of their occurrence. The applicant shall also contact the Environmental

Report Tracking System Coordinator at the Ecology Southwest Regional Office at (360)407-6300. The MTCA cleanup level for arsenic is 20 ppm and lead is 250 ppm.

3. If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, prior to grading permit issuance the applicant shall:
  - a) Enter into the Voluntary Cleanup Program with Ecology prior to issuance of any site development or disturbance permits;
  - b) Obtain an opinion letter from Ecology stating that the proposed soil remediation will likely result in no further action under MTCA;
  - c) Provide the City with written verification from Ecology that development permits are consistent with the cleanup action plan developed under the requirements of the Voluntary Cleanup Program.
4. 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 area.
5. 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 (WAC 173-350). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.
6. All mitigation measures volunteered by the developer and described within each element of the submitted environmental checklist shall be implemented into the design and/or development of the proposed development.

Findings of Fact:

1. The Washington State Department of Ecology (Ecology) submitted comments dated July 23, 2021 that identified this property on its Tacoma Asarco Smelter Plume map as one that is likely contaminated with heavy metals due to the air emissions originating from the former Asarco smelter in Tacoma. Additionally, nearby properties have identified contaminants originating from the Asarco Smelter.
2. Soil contamination from the former Asarco smelter poses a risk to human health and the environment. Construction workers, landscapers, gardeners, and others who work in the soils are at risk.
3. Based on information from the Department of Ecology's ongoing Tacoma Smelter Plume Toxics Cleanup Program the Responsible Official has determined that there is potential for soils contaminated with lead and/or arsenic to be located on the subject site. The potential identified probable significant adverse impacts to site development workers and future residents will be mitigated with soil sampling, analysis and a cleanup plan if contamination is found.
4. No other probable significant adverse impacts were identified through the review of the environmental checklist and application materials that would not be addressed and/or governed by the provisions of the Lacey Municipal code.

**Assigned Staff Person:** Reace Fant, Associate Planner

**Responsible Official:** Grant Beck, Director of Community & Economic Development

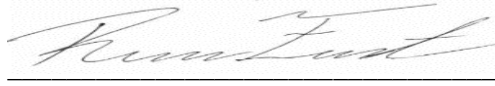
**Address:** 420 College Street SE, Lacey, WA 98503

**Phone:** (360) 491-5642

**Fax:** (360) 438-2669

**Date:** 10/18/2023

**Signature:** \_\_\_\_\_



**Appeal Deadline:**

**5:00 p.m. on 11/1/23**

**NOTE:** Pursuant to RCW 43.21.C.075 and Lacey City Code 14.24.170(A), a project denial based upon environmental information, and a conditioned or Mitigated Determination of Nonsignificance (MDNS) may be appealed by any agency or aggrieved person. Appeals are filed either with the Community Development Department when there is also an underlying governmental action or with the City Council if there is no underlying governmental action. Appeals to the City Council must be filed within fourteen (14) days of the issuance of the written decision (refer to the Lacey City Code for time periods on appeals filed with the Community Development Department).

cc: Department of Ecology