



152 W. Cedar Street, Sequim, WA 98382  
PH (360) 683-4908 FAX (360) 681-0552

**NOTICE OF APPLICATION  
AND ANTICIPATED MITIGATED DETERMINATION OF NONSIGNIFICANCE  
OPTIONAL DNS PROCESS, WAC 197-11-355**

**DATE OF APPLICATION:** 12/6/2022

**DATE OF COMPLETE APPLICATION:** 12/12/2022

**DATE OF PUBLICATION NOTICE:** 2/3/2022

**COMMENT PERIOD DUE DATE:** 2/23/2022

**LEAD AGENCY:** City of Sequim **AGENCY FILE NUMBER:** GRA 22-003 – Johnson Heights Forest Conversion

**APPLICANT:** Cedarland & Co, LLC, PO Box 2269, Gig Harbor, WA 98335

**TAX PARCEL NO.(S):** 033030420030 and 033030420020

**ZONING:** City of Sequim - Residential R4-8, and Clallam County - SR-2 residential zoning

**LOCATION OF PROPOSAL:** The approximately 18.31-acre project site consists of two existing parcels generally located south of Reservoir Road and west of S. 3rd Ave. The subject 14.69-acre larger parcel is currently addressed as S. Misty Meadow Lane and lies within the incorporated boundary of the City of Sequim, just south of the City's water reservoir facility. The adjoining, smaller 3.62-acre parcel is addressed as 319 W. Reservoir Road and lies within the unincorporated portion of the Sequim Urban Growth Area (Clallam County jurisdiction).

**DESCRIPTION OF PROPOSAL:** The applicant is proposing to harvest (for sale) existing mature timber through the Washington State Department of Natural Resources (DNR) Forest Practices Program on a majority portion of two adjoining parcels totaling approximately 18.31 acres lying within the City of Sequim and the unincorporated Sequim Urban Growth Area of Clallam County. The proposal includes construction of approximately 1,500 linear feet of on-site, temporary gravel road for access and logging activities along with grading work associated with an existing drainage canal (to remain) crossing the primary parcel. The applicant indicated that these two parcels will not be reforested after harvest under the DNR Forest Practices Program and are planned for conversion to residential land uses in accordance with existing zoning within a three-year period. No residential building, subdivision, or other land use permits are proposed at his time.

**SEPA ENVIRONMENTAL REVIEW:** This application is being reviewed **under the optional Determination of Nonsignificance (DNS) process in Washington Administrative Code (WAC) 197-11-355** which provides for a combined Notice of Application and DNS for a single, integrated public, tribe, and agency comment period. Based on a review of the Environmental Checklist for probable adverse environmental impacts, and other information on file with the lead agency, the City of Sequim expects to issue a Mitigated Determination of Nonsignificance (MDNS). This likely determination is based on review findings, conclusions, and mitigation conditions. Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts prior to any such threshold determination.

**This may be your only opportunity to comment on the environmental impacts of the proposed project.**

Comments must be submitted and received by the due date noted above (**February 23, 2023**) to ATTN: Travis Simmons, Assistant Planner, City of Sequim, 152 W. Cedar Street, Sequim, WA 98382. To submit electronically or if you have any questions- Email: [tsimmons@sequimwa.gov](mailto:tsimmons@sequimwa.gov) and Phone: (360) 683-4908.



**ENVIRONMENTAL DOCUMENTS:** Included with the application were the following document(s):

- SEPA Environmental Checklist submitted to the City of Sequim on December 6, 2022

**REQUIRED PERMITS:** The following known local, state, and federal permits/approvals are needed for the proposed project:

- SEPA Environmental Review
- City of Sequim Clearing and Grading Permit
- Stormwater Drainage, Stormwater Pollution Prevention Plan, NPDS Review
- City of Sequim Right-of-Way Permit
- Potential Clallam County Demolition Permit, Septic Decommissioning, and Grading Permit or exemption
- Washington State DNR Forest Practices Approval/Notification (FPA/N) Permit

**NOTICE OF DISCLOSURE:** The City of Sequim will enter all comments received into the public record and may make these comments, and any attachments or other supporting materials, available unchanged, including any business or personal information (name, email address, phone, etc.) that you provide available for public review. This information may be released on the City's website. Comments received are part of the public record and subject to disclosure under the Public Records Act, RCW 42.56. Do not include any information in your comment or supporting materials that you do not wish to be made public, including name and contact information.

**SEPA RESPONSIBLE OFFICIAL:** Charisse Deschenes  
City of Sequim  
152 W. Cedar Street, Sequim, WA 98382  
Phone: 360-681-3426 Email: cdeschenes@sequimwa.gov

**ENVIRONMENTAL DETERMINATION APPEAL PROCESS:** Upon closure of this noticed twenty (20) calendar day agency, tribe, and public comment period, the City expects to issue a Mitigated Declaration of Nonsignificance. If this likely threshold determination is made, a SEPA mitigated determination of nonsignificance (MDNS) may be appealed consistent with appeal requirements established in Chapter 20.01 of the adopted Sequim Municipal Code. Notice of and appeal of a determination of significance shall follow Revised Code of Washington (RCW) Chapter 43.21C and WAC Chapter 197-11. Administrative appeals of a department action or decision must be filed within 21 calendar days of the decision or action becoming final. A written notice of appeal must be delivered to the city clerk's office by regular mail or personal delivery by 4:00 p.m. on the last business day of the appeal period. The notice of appeal must include the correct appeal fee. The expected MDNS, once issued with a notice of final decision, will include appeal information and timelines. Please contact the City's SEPA Responsible Official to read or ask about procedures for SEPA appeals.

**MITIGATION MEASURES:** An MDNS does not constitute approval of the permits for this proposal. The proposal will be reviewed for consistency with the City's Zoning Ordinance, Critical Areas Ordinance, Public Works Standards, and the Comprehensive Plan. The likely MDNS for this proposal is expected to contain mitigation measures (below) which shall be implemented by the applicant to ensure the project does not have a probable significant adverse impact on the environment. **Note: These conditions are preliminary in nature and are subject to change upon discovery or receipt of new information. The provided conditions do not provide the scope of outside agency comments and may be altered to adequately reflect those comments.**



- WATER QUALITY

All site construction shall be conducted in compliance with the most current Stormwater Manual for Western Washington.

Per Department of Ecology's Water Quality/Watershed Resources Unit, Jacob Neuharth (360)742-9751, "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. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

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.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres and discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
  - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
  - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
  - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Evan Wood at [evan.wood@ecy.wa.gov](mailto:evan.wood@ecy.wa.gov), or by phone at (360) 706-4599.

Additionally, sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements. See condition S8 of the Construction Stormwater General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at: <https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.



The applicant may apply online or obtain an application from Ecology's website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/#Application>. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.”

- SOLID WASTE MANAGEMENT

Per Department of Ecology’s Solid Waste Management, Derek Rockett (360)407-6287, “The applicant proposes to demolish an existing structure(s). In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present are removed prior to demolition. 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: Construction & Demolition Guidance. All removed debris resulting from this project must be disposed of at an approved site. 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 your local jurisdictional health department prior to filling. Contact the local jurisdictional health department for proper management of these materials.”

- ENVIRONMENTAL HEALTH- NOISE

To mitigate the potential for noise impacts to surrounding properties, all site, construction and timber harvesting activities through completion shall be limited to the period from 7:00 am to 5:00 pm Monday through Saturday.

- ENVIRONMENTAL HEALTH- AIR

To mitigate the potential adverse impacts to air quality due to dust emissions during timber harvest activities, grading and other site disturbance, the proponent shall employ the use of watering all dust generating surfaces a minimum of three times daily or more as needed during the site disturbance phase of the project and until all applicable long-term erosion control measures are in place.

- TRAFFIC IMPACT

To mitigate the potential for impacts from increased commercial vehicle traffic to adjacent properties and roadways, vehicles must limit access to the site from the approved location via Reservoir Road. Large timber harvesting and construction vehicles over 12,000 pounds must access and exit the site via an approved haul route to be provided via map prior to permit issuance. Signage for trucks entering the roadway may be required to the satisfaction of the City.

- ENVIRONMENTAL CRITICAL AREAS

Per Sequim Municipal Code 18.80.030(L) a portion of the property is considered to be a “Landslide Hazard Area.” This type of critical area has a 50’ buffer from the top and toe of the designated area – per SMC 18.80.070(4) – and shall be applied to the northern portion of the property where the slopes exceed 15%. The applicant can accept this buffer and leave the designated area untouched or can meet the requirements set forth in SMC 18.80.070(C) listed below.



Geological Hazard (Erosion, Landslide, Seismic) Areas. Areas containing or adjacent to geological hazard areas must be altered only when the department of community development director concludes, based on environmental information, the following:

1. Landslide Hazard Areas.

- a. There will be no increase in surface water discharge or sedimentation to adjacent properties;
- b. There will be no decrease in slope stability on adjacent properties; and

c. Either:

- i. There is no hazard as proven by evidence of no landslide activity in the past in the vicinity of the proposed development and a quantitative analysis of slope stability indicates no significant risk to the development proposal and adjacent properties,
- ii. The landslide hazard area can be modified or the development proposal can be designed so that the landslide hazard is eliminated or mitigated so that the site is as safe as a site without a landslide hazard, or
- iii. The alteration is so minor as not to pose a threat;

Additional slope, geotech, and buffer studies may be necessary as part of the permitting process to show how this criteria will be met.

- ANIMALS

It shall be the responsibility of the applicant to take all necessary steps to prevent the incidental taking of protected species under the Endangered Species Act through habitat modification or degradation during the life of the project or development authorized by this permit or approval. The applicant shall notify the City through its Public Works Director or designee and the Federal Agencies with responsibility for enforcement of the Endangered Species Act immediately, in the event of damage or degradation to Endangered Species habitat by or from the project or the development subject to this permit or approval. In any such case, the applicant shall, at its sole cost and expense, take all action necessary to prevent the furtherance of the damage or degradation and to restore the habitat as required by the Federal, State, and local agencies with jurisdiction.

- HISTORICAL AND CULTURAL RESOURCES

Culture resources are legally protected. While there are currently no known archaeological resources on this site, in the event archaeological artifacts are uncovered during construction, activity shall be halted immediately, and the State Historic Preservation Office and local Tribes shall be contacted. The Applicant shall follow the applicable sections of the Inadvertent Archaeological and Historic Resources Discovery Plan for Sequim, WA (copy available at the City of Sequim Department of Community Development). A copy of the Plan shall be kept in a protective manner on the project site and made known and available to all those involved in ground disturbing activity for the duration of the project.

Any person engaged in ground disturbing activity who encounters or discovers historical and/or archeological materials in or on the ground must immediately cease any activity which may cause



further disturbance, make a reasonable effort to protect the area from further disturbance, and report the presence and location of the material to the proper authorities in the most expeditious manner possible.

- AESTHETICS

Prior to any site-disturbing activities and harvesting of timber, the City may require the applicant to submit, for City approval, a plan detailing the physical condition the project site will be left in over the period of conversion to residential uses. In addition to the harvesting of timber for sale, the City may require that logging debris and stumps be appropriately removed from the site and disposed of properly. Temporary road banks and other disturbed areas shall be appropriately seeded.



VICINITY MAP

