

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SPOKANE VALLEY HEARING EXAMINER

**Re: Appeal of SEPA Determination for
EGR-2018-0074/SEPA-2018-0019**

File No.: APP-2019-0002

ROBERT PHELPS,

Appellant,

DECLARATION OF MARTIN PALANIUK
IN SUPPORT OF CITY OF SPOKANE
VALLEY’S PRE-HEARING BRIEF

v.

CITY OF SPOKANE VALLEY,

Respondent,

v.

WHIPPLE CONSULTING ENGINEERS,

Applicant.

I, Martin Palaniuk, declare under penalty of perjury of the laws of the State of Washington, that the following is true and correct to the best of my knowledge:

1. I am over the age of eighteen and am competent to testify to the matters set forth herein.

2. I am a Planner for the City of Spokane Valley (the “City”) and as such I am familiar with the property located west of the Y intersection of East Sands Road and South Bowdish Road,

1 Spokane Valley, Spokane County, Washington (Spokane County Assessor's parcel number
2 45333.1807) (herein after "Subject Property").

3 3. On October 4, 2018, the City received applications for permits FPD-2018-0002 and
4 EGR-2018-0074, along with SEP-2018-0019 and the accompanying SEPA Checklist. The
5 application identified a project to remove 3.4 acres of the 5.86 acres of the Subject Property from the
6 Special Flood Hazard Area through a Conditional Letter of Map Revision by the Federal Emergency
7 Management Agency by incorporating drainage improvements and adding 29,000 cubic feet of fill.
8 No other project was identified as part of these permit applications.

9 4. On March 19, 2019 the City received the most updated SEPA Checklist from Ray
10 Kimball in conjunction with SEP-2018-0019. The updated Checklist provided the City with enough
11 information that was reasonably sufficient for City staff to evaluate any potential environmental
12 impact that the proposed development may have. *See Attached Exhibit 1.*

13 5. I have reviewed the updated Checklist received by the City on March 19, 2019. The
14 Checklist was considered final and considered in the City's issuance of the Mitigated Determination
15 of Non-Significance (MDNS) for the Subject Property.

16 6. In preparing the MDNS, I prepared a Lead Agency Checklist Review which described
17 the project's potential environmental impacts and potential mitigation measures. The focus in
18 reviewing the Checklist was on whether there were significant adverse environmental impacts from
19 the Project. Any concerns and environmental impacts are noted in the Lead Agency Checklist review.
20 The review explains how those concerns are to be addressed. I also sent out the Checklist to outside
21 agencies, as well as the public, for comments and reviewed those comments in issuing the MDNS.
22 The comments made by outside agencies dealt mainly with concerns related to traffic, dust control,
23 and maintaining the proper buffers for the Chester Creek and Riparian Management Zone. *See*
24
25

1 Attached Exhibit 2 (issued MDNS, which includes the SEPA Checklist and public and agency
2 comments). These comments were noted and incorporated in the SEPA Checklist review and the
3 conditions in the MDNS. The City received three public comments, including comments by
4 Appellant, for the project attached to the Subject Property. The comments submitted by Appellant
5 were not related to environmental impacts that could be addressed in either the review or the issuance
6 of the MDNS.

7 7. On April 19, 2019 the City issued an MDNS for SEP-2018-0019 based off the
8 submitted SEPA Checklist and consideration of all relevant environmental factors. See Attached
9 Exhibit 2.

10 8. An onsite geotechnical engineer, as identified by the Applicant, will evaluate the fill
11 that Applicant is looking to place upon the Subject Property. The onsite geotechnical engineer
12 evaluates the fill to ensure that the fill contains no hazardous materials.

13 9. To date, the City has received not any applications or proposals related to the Subject
14 Property other than FPD-2018-0002, EGR-2018-0074, and SEP-2018-0019.
15

16
17 DATED this 2nd day of June 2020, in Spokane Valley, Washington.

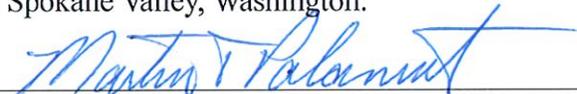
18 
19 MARTIN PALANIUK
20 City Planner
21 City of Spokane Valley
22
23
24
25

Exhibit 1



10210 E Sprague Avenue ♦ Spokane Valley WA 99206
Phone: (509) 720-5240 ♦ Fax: (509) 720-5070 ♦ permitcenter@spokanevalley.org

STAFF USE ONLY

| | | |
|-----------------------|--------------------|------------|
| Date Submitted: _____ | Received by: _____ | Fee: _____ |
| PLUS #: _____ | File #: _____ | |

PART I – REQUIRED MATERIAL

****THE APPLICATION WILL NOT BE ACCEPTED IF THE REQUIRED MATERIALS ARE NOT PROVIDED****

- € Completed SEPA Checklist
- € Application Fee
- € Reduced Site Plan of proposal in 8½" by 11" or 11" by 17" size
- € Trip Distribution and Generation Letter, if requested by Development Engineering.

PURPOSE OF CHECKLIST:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NON-PROJECT PROPOSALS:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

A. BACKGROUND

1. Name of proposed project, if applicable

Crapo Property

2. Name of applicant:

Diamond Rock Construction, Dennis Crapo

3. Address and phone number of applicant and contact person:

**Diamond Rock Construction, 2602 N Sullivan Road, Spokane Valley, WA,
99216. Contact Dennis Crapo at 509-926-8964.**

4. Date checklist prepared:

3/18-19

5. Agency requesting checklist:

City of Spokane Valley

6. Proposed timing or schedule (including phasing, if applicable):

**The project is anticipated to begin as soon as possible and upon approval of
civil plans and the Federal Emergency Management Agency (FEMA)
Conditional Letter of Map Revision (CLOMR-F) approval. Project is
anticipated to be completed by fall of 2019.**

7. Do you have any plans for future additions, expansion, or further activity
related to or connected with this proposal? If yes, explain.

None at this time.

8. List any environmental information you know about that has been prepared,
or will be prepared, directly related to this proposal.

**The project site is currently with a FEMA Zone AE designated
Floodplain as seen on the Effective Flood Insurance Rate Map (FIRM)
dated July 6, 2010, Map Number (53063C0732D) which can be viewed
on FEMA'S website.**

9. Do you know whether applications are pending for governmental approvals
of other proposals directly affecting the property covered by your proposal?
If yes, explain.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

A CLOMR-F will be pending approval from FEMA to remove the subject property from the SFHA, and a grading permit will be required through the City of Spokane Valley.

10. List any government approvals or permits that will be needed for your proposal, if known.

A Grading Permit, a Floodplain Development Permit, a FEMA CLOMR-F, and a FEMA LOMR-F will be needed.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The property in question is currently a single family residential lot where the majority of the property is encumbered by the Special Flood Hazard Area (SFHA). This project proposes to remove a portion of the 5.86-acre project lot from the SFHA through a CLOMR-F by FEMA. The owner has other construction sites generating excess structural material, so he intends to haul that material to this site and place it within the SFHA so as to increase the area available for residential use.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project site is located on Parcel # 45333.1807 in Spokane Valley, WA, 99206, on the corner Sundown Drive and Bowdish Road, on Lot 7 of Short Plat SHP-09-10.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)?
The general Sewer Service Area? Priority Sewer Service Area? (See: Spokane County's ASA Overlay zone Atlas for boundaries).

Yes, the project is in an ASA and general sewer service area.

14. The following questions supplement Part A.
- Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA).
 - Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

ground surface (includes systems such as those for the disposal of Stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spill, or as a result of firefighting activities).

Stormwater will be treated and infiltrated onsite within a designated stormwater area/tract per the requirements of the Spokane County Regional Stormwater Manual.

2. Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

No. Does not apply.

3. What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater? This includes measures to keep chemicals out of disposal systems.

No chemicals are expected to be stored onsite.

4. Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a Stormwater disposal system discharging to surface or groundwater?

None anticipated.

b. Stormwater

1. What are the depths on the site to groundwater and to bedrock (if known)?

Depth to groundwater is unknown at this time.

2. Will stormwater be discharged into the ground? If so, describe any potential impacts.

Stormwater will be treated and attenuated onsite within a designated stormwater area/tract per the requirements of the Spokane County Regional Stormwater Manual so no detrimental impacts are expected.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (check one): flat, rolling, hilly, steep slopes, mountainous, other



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

The site is predominantly flat to rolling.

- b. What is the steepest slope on the site (approximate percent slope)?

There is approximately a 33% slope on the north end of the property where there is an existing stormwater dike for Chester Creek.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Per the Natural Resources Conservation Service Web Soil Survey, soils onsite consist of Endoaquolls and Fluvaquents, 0 to 3 percent slopes, and Urban Land Phoebe Disturbed Complex, 3 to 8 percent slopes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no surface indications or history of unsuitable soils in the immediate vicinity of the site.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Also indicate source of fill.

Some additional fill (approximately 29,000 cubic yards) will be added to the subject property in order to elevate the site and remove the property from the SFHA. All import material will be from a pre-approved source from the onsite geotechnical engineer.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Any possible erosion issues will be mitigated through the use of best management practices such as silt fencing and dust control during the entire construction process.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None at this time.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Any possible erosion issues will be mitigated through the use of best management practices such as silt fencing and dust control during the entire construction process.

2. Air



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Dust and heavy equipment emissions during construction are anticipated. Upon completion of the project, general vehicle emissions resulting from a residential lot are expected.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no offsite sources of emissions or odor known at this time.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

An onsite water truck will spray the ground as necessary to control dust.

3. Water

a. Surface:

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Chester Creek is adjacent and to the north of the project site and is a seasonal creek. As previously mentioned, the creek is separated with a dike to help prevent surface water from entering the site. There is a 100' critical areas buffer within which there will be no grading. It will be left natural and used for stormwater treatment and storage per the intent of the existing blanket stormwater easement

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes. Work will be limited to the area outside of the 100' buffer established at the time of the final plat that created lot 7.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None. No grading work will take place within Chester Creek and according to the wetland study completed for SHP-09-10 no wetlands are present on the subject property.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No grading work will take place within Chester Creek and no withdrawals or diversions will take place.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. The project site is currently within a FEMA Zone AE designated Floodplain (100-year) as seen on the Effective Flood Insurance Rate Map (FIRM) dated July 6, 2010, Map Number (53063C0732D) which can be viewed on FEMA'S website.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

There will not be any discharges of waste materials to surface waters.

b. Ground:

1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

Groundwater will not be redrawn and no direct discharges to groundwater are proposed.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Wastewater or waste material will not be discharged into the ground.

c. Water runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be treated and infiltrated onsite per the requirements of the Spokane County Regional Stormwater Manual.

2. Could waste materials enter ground or surface waters? If so, generally describe.



SEPA CHECKLIST

EVALUATION FOR AGENCY USE ONLY

No. Please see response b.2 above.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Stormwater will be treated and infiltrated onsite per the requirements of the Spokane County Regional Stormwater Manual.

4. Plants

- a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other.
 evergreen tree: fir cedar, pine, other shrubs.
grass pasture
 crop or grain
 wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation _____

Per RAY KIMBAL
4/17/19

- b. What kind and amount of vegetation will be removed or altered?

The site will be cleared for the proposed development, and landscaping and hydroseeding will be provided to stabilize the site after the fill is placed.

- c. List threatened or endangered species known to be on or near the site.

Per the United States Department of Fish and Wildlife Service, the following species are found in the region; Bull Trout, Canada Lynx, Spalding Catchfly, UTE Ladies'-Tresses, Water Howellia, and the Yellow-Billed Cuckoo.

Through visual inspection of the site, however, these species were not present.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Hydroseeding will be provided onsite after the fill is placed.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other:



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- b. List any threatened or endangered species known to be on or near the site.

Per the United States Department of Fish and Wildlife Service, the following species are found in the region; Bull Trout, Canada Lynx, Spalding Catchfly, UTE Ladies'-Tresses, Water Howellia, and the Yellow-Billed Cuckoo.

Through visual inspection of the site, however, these species were not present.

- c. Is the site part of a migration route? If so, explain.

The site is not known to be a part of a migration route other than being located within the Pacific Flyway for waterfowl.

- d. Proposed measures to preserve or enhance wildlife, if any:

None.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None are proposed.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe

There is no contamination at the site from present or past uses that is known.

1. Describe special emergency services that might be required.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

Does not apply.

2. Proposed measures to reduce or control environmental health hazards, if any:

Dust during construction will be mitigated with the use of a water truck as previously mentioned. Other best management practices will be employed if necessary.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There is not any existing noise in the area that will affect this project.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be noise that is consistent with construction. During construction, hours of operation will follow local requirements for noise restrictions.

3. Proposed measures to reduce or control noise impacts, if any:

During construction, hours of operation will follow local requirements for noise restrictions.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

The current use of the site is a vacant piece of land. Surrounding the site to the south, east and west is similar residential developments, with some commercial uses to the north of the site.

- b. Has the site been used for agriculture? If so, describe.

The project site has not been used for agriculture in the recent past.

- c. Describe any structures on the site.

There are not any existing structures onsite.

- d. Will any structures be demolished? If so, what?

Does not apply, see response 8.c above.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- e. What is the current zoning classification of the site?

The zoning of the property is R-2 Single Family Residential.

- f. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation of the site is Low density Residential (LDR).

- g. If applicable, what is the current shoreline master program designation of the site?

None. Does not apply.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The site is with a FEMA Zone AE designated floodplain.

- i. Approximately how many people would reside or work in the completed project?

None.

- j. Approximately how many people would the completed project displace?

None, the site is current undeveloped and vacant.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Does not apply, see response 8.j above.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed development is consistent with the current residential zoning of the area.

9. **Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

There will not be any existing units eliminated with this proposal.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- c. Proposed measures to reduce or control housing impacts, if any:

None are proposed.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Does not apply.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Hydroseeding will be provided after fill is placed.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

- c. What existing off-site sources of light or glare may affect your proposal?

None are present.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

There are not any informal recreational opportunities in the immediate vicinity.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, please see response 12a. Does not apply.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

There is not any recreational facilities in the immediate vicinity, and none are proposed. Does not apply.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

There are not any existing structures onsite, and the site is not a part of any park or national forest land. Does not apply.

- b. Generally, describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

A search was conducted on the Washington Information System for Architectural and archaeological Resources website and no information was found.

- c. Proposed measures to reduce or control impacts, if any:

None, please see response 13.b above. Does not apply.

14. Transportation

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.

The site can be accessed from Bowdish Road.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No. The nearest public transit is at the corner of Sprague and University Road (3.4 miles).

- c. How many parking spaces would the completed project have? How many would the project eliminate?

None.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

There is an existing rail road to the north of the subject property, but it will not be used for this project.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None.

- g. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Check utilities currently available at the site:

- Electricity
- Natural gas
- Water
- Refuse service
- Telephone
- Sanitary sewer
- Septic
- Other _____

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

A handwritten signature in black ink, appearing to read "B. Kim", written over a horizontal line.

Date: _____

3/19/19



D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS-Not Applicable

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
 - a. Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
 - a. Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?
 - a. Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
 - a. Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- a. Proposed measures to avoid or reduce shoreline and land use impacts are

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?
 - a. Proposed measures to reduce or respond to such demand(s) are:

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

E. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this check list.

Date: _____ Signature: _____

Please print or type:

Proponent: _____

Address: _____

Phone: _____

Person completing form (if different from proponent):

Name: _____

Address: _____

Phone: _____

Exhibit 2



COMMUNITY & PUBLIC WORKS DEPARTMENT
MITIGATED DETERMINATION OF NON-SIGNIFICANCE

10210 East Sprague Avenue • Spokane Valley WA 99206
509.720.5000 • Fax: 509.720.5075 • planning@spokanevalley.org

FILE NUMBER & NAME: SEP-2018-0019; Crapo Property Land Disturbance Permit File No. EGR-2018-0074 for a Conditional Letter of Map Revision based on Fill (CLOMR-F)

PROPOSAL DESCRIPTION: Proposal to remove approximately 3.4 acres of a 5.86 acre site from the Special Flood Hazard Area (SFHA) through a CLOMR-F through the Federal Emergency Management Agency (FEMA). The property owner is seeking to haul approximately 29,000 cubic yards of excess structural material from other sites under his ownership and place the fill within the 3.4 acre area of site to be removed from the SFHA.

PROPOSAL LOCATION: Parcel number 45333.1807; located W of the Y intersection of East Sands Road and South Bowdish Road, further located in the SW ¼ of Section 33, Township 25 North, Range 44 East, Willamette Meridian, Spokane County, Washington

PERSON COMPLETING CHECKLIST: Ray Kimball, Whipple Consulting Engineers, 21 S Pines Rd, Spokane Valley, WA 99206

OWNER: Diamond Rock Construction, Dennis Crapo, 2602 N Sullivan Rd, Spokane Valley, WA 99216

LEAD AGENCY: City of Spokane Valley

The lead agency for this proposal has determined that the project does not have a probable significant adverse impact on the environment with the application of the mitigation measures described below. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

DETERMINATION: This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date issued.

MITIGATION MEASURES:

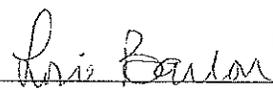
1. The project shall be revised to establish and maintain the riparian management zone (RMZ) along Chester Creek pursuant to the conditions of approval of the underlying Short Plat file no. SHP-09-10 and the Spokane Valley Municipal Code in effect at the time of approval.
2. Prior to commencing any fill activity, the applicant shall physically demarcate the south and east boundary of the RMZ with a fence or markers, or as otherwise approved by the City of Spokane Valley.
3. No grading, fill, or development activity shall occur within the RMZ except as may be specifically provided for in the approved grading plan for EGR-2017-0074.
4. Prior to commencing any fill activity, permanent signage shall be physically placed along the south boundary of RMZ indicating its existence and that it is to remain in a natural condition. The signage may be incorporated into the requirement to demarcate the riparian management zone.
5. Any vegetation planted within the RMZ shall be native. The planting shall require a habitat management plan pursuant to SVMC 21.40.040.E in effect at the time of the short plat approval.
6. Notes shall be added to the grading plan for EGR-2018-0074 to address all of the mitigation measures. The grading plan shall be subject to review and approval by the City of Spokane Valley.

STAFF CONTACT: Martin Palaniuk, Planner, City of Spokane Valley, 10210 East Sprague Avenue, Spokane Valley, WA 99206, PH (509) 720-5031/FX (509) 720-5075, mpalaniuk@spokanevalley.org

RESPONSIBLE OFFICIAL: Lori Barlow, AICP, Senior Planner

DATE ISSUED: April 19, 2019

SIGNATURE: _____



APPEAL: An appeal of this determination shall be submitted to the Community & Public Works Department within fourteen (14) calendar days after the date issued. The appeal must be written and specific factual objections made to the City's threshold determination. Appeals shall be conducted in conformance with Spokane Valley Municipal Code (SVMC) 17.90 Appeals, and any required fees pursuant to the City's adopted Fee Schedule shall be paid at the time of appeal submittal. Pursuant to WAC 197-11-680, appeals shall be limited to a review of a final threshold determination.



COMMUNITY & PUBLIC WORKS DEPARTMENT

Building & Planning Division
 10210 East Sprague Avenue; Spokane Valley, WA 99206
 509.720.5240 Fax: 509.720.5075 planning@spokanevalley.org

| |
|---|
| LEAD AGENCY ENVIRONMENTAL CHECKLIST REVIEW |
|---|

DATE: April 17, 2019

Prepared By: Martin Palaniuk, Planner

A. BACKGROUND

| | |
|------------------------|---|
| 1. PROJECT NO: | SEP-2018-0019; Floodplain Development Crapo Property |
| 2. DESCRIPTION: | Remove approximately 3.4 acres of a 5.86 acre site from the Special Flood Hazard Area (SFHA) through a CLOMR-F through the Federal Emergency Management Agency (FEMA). The property owner is seeking to haul approximately 29,000 cubic yards of excess structural material from other sites under his ownership and place the fill within the 3.4 acre area of site to be removed from the SFHA. |
| 3. APPLICANT: | Diamond Rock Construction, Dennis Crapo, 2602 N Sullivan Road, Spokane Valley, WA 99216 |
| 4. OWNER: | Same as applicant |
| 5. LOCATION: | Parcel number 45333.1807; located W of the Y intersection of East Sands Road and South Bowdish Road, further located in the SW ¼ of Section 33, Township 25 North, Range 44 East, Willamette Meridian, Spokane County, Washington |

SITE HISTORY & BACKGROUND

The site is Lot 7 of short plat SHP-09-10, per Book 27 of Short Plats, Pages 56-57, Spokane County Auditor File No. 6092641. Prior to the short plat the site was unplatted and undeveloped. The project site is currently undeveloped however several impacts have occurred over the last several years. Areas within the lot have been excavated to provide fill to several residential lots located

south of the site. The excavated fill was used to remove those residential lots from within the floodplain through a CLOMR-F. The area that was excavated was subsequently filled with off-site surplus construction material. Six new single-family homes and two accessory structures have been constructed on the lots that are adjacent to the site to the south. Landscape waste has been dumped on the eastern portion of the site and then subsequently removed.

An environmental review and determination was completed for the short plat due to the presence of frequently flooded areas on the site and Chester Creek which is located north of and adjacent to the site. The stream is contained within a channelized streambed in the Union Pacific right-of-way and does not encroach on the subject site. Chester Creek is categorized as a "Type F" stream pursuant to Washington State Fish & Wildlife water type classification. A Critical Areas Report was completed in 2010 by Biology Soil and Water, Inc. and submitted as part of the short plat review. The Staff Report and Notice of Decision for the short plat established a 100-foot wide riparian buffer for the stream pursuant to the Critical Areas regulation in effect at the time of the plat.

The entirety of Lot 7 was designated as a blanket drainage easement pursuant to the final plat for SHP-09-10. The dedication language granted the drainage easement to the City of Spokane Valley for the purpose of conveying and storing stormwater runoff, and for installing, operating, and maintaining drainage ponds and drainage facilities which dispose of and treat stormwater runoff. The drainage easement runs with the land, is binding, and inures to the benefit of the parties, successors, and assigns. Modifications to the boundary of the easement requires City of Spokane Valley Approval; Engineering calculations are required for any modifications to Lot 7. The project does not propose any changes to the boundaries of Lot 7. Whipple Engineering has submitted engineering plans for the CLOMR-F grading permit file no. EGR-2018-0074 and a floodplain development permit file no. FPD-2018-0002. The City of Spokane Valley Development Engineer and the Floodplain Administrator are in the process of reviewing the plans. Approval is pending the environmental review process.

REVIEW OF SUPPLEMENTAL QUESTIONS OF SECTION 14 OF PART A (BACKGROUND) FOR CRITICAL AQUIFER RECHARGE AREA (CARA) / AQUIFER SENSITIVE AREA (ASA)

The proposal lies within the Aquifer Sensitive Area (ASA). There are two existing man-made stormwater features that drain to the property. The first stormwater feature receives stormwater from Bowdish Rd and the second receives stormwater from Sundown Ave. Each feature receives water from two concrete catchment basins located under the road. Stormwater from the roads is directed to a low point where it flows through a steel grate into a concrete catch basin under the street. A pipe connects to each of the two catch basins located on opposite sides of the street and carries the stormwater to stormwater swales located on Lot 7. Each swale was excavated to a depth to allow the deep pipe to daylight. Stormwater flows out of the pipe and into the excavated stormwater features on Lot 7 where the water stands until it infiltrates. The proposal will extend the conveyance pipes further north and outlet the stormwater into a drainage area located along the northern portion of Lot 7. The area is sewerred and the residential homes are connected and served by Spokane County Environmental Services sewer facilities.

B. ENVIRONMENTAL ELEMENTS

Italics indicate potential mitigation measures, if any. **Bold** indicates unresolved issues or additional information that must be addressed by the applicant prior to final approval, as indicated.

1. EARTH

The SEPA Checklist states the site is predominantly flat to rolling terrain with a 33 percent slope associated with the dike used to channelize Chester Creek. The soils consist of endoaqualls and fluvaquents, and Urban Land Phoebe Complex with an approximate slope of zero to eight percent. Approximately 29,000 cubic yards of fill will be added to the property in order to elevate and remove approximately 3.4 acres from the SFHA. The checklist states the fill will derive from a pre-approved source determined by the on-site geotechnical engineer. Erosion will be controlled through the application Best Management Practices (BMP) such as silt fencing and dust control during the construction phase.

Staff Analysis: Sheet C2.0-C2.3 of the grading plan contains a detailed Stormwater Pollution Prevention Plan and Erosion Control Plan. The plan contains Erosion and Sediment Control (ESC) General Notes and Information, ESC Standard Plan Notes from Appendix 9A of the Spokane Regional Stormwater Manual, Spokane Regional Clean Air Agency General Notes, BMP C233: Silt Fence notes, BMP C105: Stabilized Construction Entrance notes, BMP C220: Storm Drain Inlet Protection notes, BMP C151: Concrete Handling notes, and BMP C140: Dust Control notes. Compliance with the approved construction plans including all of the notes will be mandatory for the project. No concerns noted.

2. AIR

The Checklist states there will be a temporary increase in exhaust emissions and dust during construction. An on-site water truck will be used will be used to control dust during construction.

Staff Analysis: Compliance with BMP C140: Dust Control noted in the construction grading plan will be mandatory. No concerns noted.

3. WATER

Surface

The checklist states that Chester Creek is adjacent to the site along the northern boundary of the project site. The creek is separated from the project site with a dike to help prevent surface water from entering the site. The checklist notes 100-foot critical areas buffer adjacent to the creek in which no grading will occur. The checklist states it remain in a natural state and will be used to treat stormwater per the existing blanket stormwater easement on the site. Construction activity is proposed up to the 100-foot buffer. No grading activity will occur in Chester Creek. Pursuant to the Critical Areas report completed as part of SHP-09-10 there are no wetlands on the site. The property is located within a FEMA Zone AE designated 100-year floodplain pursuant to Community Panel No. 53063C0732D of the Flood Insurance Rate Maps (FIRM) [Federal Emergency Management Agency, July 6, 2010]. The project will not include any surface water withdrawals or diversions. No waste materials will be discharged into surface waters.

Staff Analysis: Approval of floodplain development permit file no FPD-2018-0002 and Land Disturbance Permit file no. EGR-2018-0074 is required for the project. Permit conditions will establish and maintain a Riparian Management Zone (RMZ) adjacent to the creek. A Habitat Management Plan will be required prior for any vegetation plantings within the RMZ. The applicant will be required to demarcate the boundary of the RMZ and establish measures to assure it will remain in its natural state. Compliance with the Spokane Regional Stormwater Manual and BMP C233, BMP C105, BMP C220, and BMP C151 will be mandatory. Short Plat SHP-09-10 dedicated the project site as a drainage easement. The land disturbance permit contains the engineering calculations required to accommodate the proposed change to the drainage within the easement.

Ground

The Checklist states there are no plans for withdrawal of or discharge to any groundwater nor will any wastewater or waste material be discharged into the ground.

Staff Analysis: Compliance with the Spokane Regional Stormwater Manual and BMP C233, BMP C105, BMP C220, and BMP C151 will be mandatory. No concerns noted.

Water Runoff

The checklist states stormwater will treated and infiltrated onsite in accordance with the grading plan and pursuant to the requirements of the Spokane Regional Stormwater Manual.

Staff Analysis: Compliance with the Spokane Regional Stormwater Manual and BMP C233, BMP C105, BMP C220, and BMP C151 will be mandatory. No concerns noted.

4. PLANTS

The Checklist states the site consists of deciduous maple, evergreen fir and pine trees, grasses, and cattails. The site will be cleared for the project and landscaping and hydro seeding will be provided to stabilize the site after the fill is placed. Visual inspection of the site did not reveal any threatened or endangered plant species on or near the site

Staff Analysis: Pursuant to SVMC the Riparian Management Zone (RMZ) adjacent to Chester Creek will remain in a natural state and vegetation will not be removed from this area. Any vegetation planting proposed within the RMZ will be implemented through a Habitat Management Plan approved by the WA DFW. It is noted that the BSW Critical Areas Report indicates the presence of additional plant species on the site none of which are protected species. No concerns noted.

5. ANIMALS

The Checklist indicates hawks, eagles and songbirds were observed on the site. Visual observation of the site did not reveal the presence of any threatened or endangered species.

Staff Analysis: No concerns noted.

6. ENERGY AND NATURAL RESOURCES

The Checklist states project will not generate the need for any energy or natural resources. The project will not affect the potential use of solar energy by adjacent properties.

Staff Analysis: No concerns noted.

7A. ENVIRONMENTAL HEALTH HAZARDS

The Checklist states the project will not create any environmental hazards. As stated prior, a water truck will be used to reduce dust and best management practices will be implemented.

Staff Analysis: No concerns noted.

7B. NOISE

The checklist states noise impacts will be consistent with noise from a construction project. Construction activity will follow local requirements for hours of operation for noise restriction.

Staff Analysis: SVMC 7.05.040.K establishes prohibition on noise nuisances. SVMC 7.05.040.K.3.a exempts sounds originating from residential property relating to temporary projects for the repair or maintenance of homes, grounds, and appurtenance from these provisions between the hours of 7:00 a.m. and 10:00 p.m. The Union Pacific Railroad operates an active rail line adjacent to the site along the north boundary. The 24-hour rail operations generate the noise and vibration one would expect from an active railway. The placing of fill will not be impacted by the rail noise. No concerns noted.

8. SHORELINE AND LAND USES

The checklist states the site is undeveloped and vacant. Residential uses exist east, south and west of the site. A commercial self-service storage facility and convenience store are located north of the site. The site is designated for single family residential use in the comprehensive plan and is zoned Single-family Residential Suburban (R-2). There are no structures located on the site. The site is not within the shoreline jurisdiction.

Staff Analysis: The proposed fill will not change the use of the property but will prepare it for future development. Any future land uses will be required to comply with the R-2 development standards with regard to density, lot size, setbacks, and structure height. The site is not within the Shoreline jurisdiction. The Union Pacific Railroad submitted comments that indicate the property is adjacent to an active rail corridor and nearby land uses should be compatible with the continuing use of the rail. The comments also expressed concern about the adequacy of current safety devices on the nearby at-grade railroad crossing should the project increase pedestrian and vehicular traffic at the crossing. The comments suggest any project that will increase the traffic should examine the impacts to the crossing and determine if additional mitigation measures be included in the project. The fill project will generate additional truck traffic associated with the hauling the fill. The City of Spokane Valley Senior Traffic Engineer reviewed the project and has conditioned the land disturbance permit to include the submittal and approval of a Haul and Traffic Control Plan. Any future

residential development that will generate more than ten peak hour vehicular trips will require further environmental review.

9. HOUSING

The checklist states that no housing will result from the project. The site is currently vacant and no housing will be removed as a result of the fill.

Staff Analysis: No concerns noted.

10. AESTHETICS

The checklist indicates there will no structures for the project and no views will be impacted as a result. Hydro seeding will occur in some areas after the fill has been completed.

Staff Analysis: The RMZ will remain in a natural state and no aesthetic change will occur in this area. As noted under Section 4, any plantings will require a Habitat Management Plan and review by DFW. No concerns noted.

11. LIGHT AND GLARE

The checklist states no light or glare will result from placing the fill on the site.

Staff Analysis: No concerns noted

12. RECREATION

The checklist state there are no recreation opportunities within the immediate vicinity. The project will not displace any recreational opportunities and no measures will be taken to reduce or control impacts to recreational opportunities.

Staff Analysis: The project site is privately owned and any current recreation opportunities occurring on the site would be considered trespass. No concerns noted.

13. CULTURAL AND HISTORIC PRESERVATION

The Checklist specifies that there are no known historical and cultural resources at the subject property.

Staff Analysis: The environmental checklist was sent to the Washington State Department of Archaeology and Historic Preservation and the Spokane Tribe of Indians for comment. The City did not receive comments from either agency related to the project. An Inadvertent Discovery Plan will be required for approval of the land disturbance permit.

14. TRANSPORTATION

The checklist states the site is accessed from Bowdish Road. Union Pacific Railroad operates a rail line along the north boundary of the site. The project will not generate any trips.

Staff Analysis: As noted earlier, the Union Pacific Railroad submitted comments expressing concerns about the impact to the at-grade railroad crossing on Bowdish Road. The City of Spokane Valley Senior Traffic Engineer has conditioned the approval of the land disturbance permit to include the review and approval of a Haul and Traffic Control Plan. The project will not generate any new daily trips related to new residential development however trucks will use the crossing when hauling fill to the site. The applicant is unable to provide a daily trip schedule or determine the type of trucks that will be used to haul the fill. Therefore it is not known how many trips per day will be associated with the fill project. No concerns noted.

15. PUBLIC SERVICES

The project will not result in the need for public services.

Staff Analysis: No concerns noted.

16. UTILITIES

The project will not result in the need for utilities.

Staff Analysis: No concerns noted.



10210 E Sprague Avenue ♦ Spokane Valley WA 99206
Phone: (509) 720-5240 ♦ Fax: (509) 720-5070 ♦ permitcenter@spokanevalley.org

STAFF USE ONLY

| | | |
|-----------------------|--------------------|------------|
| Date Submitted: _____ | Received by: _____ | Fee: _____ |
| PLUS #: _____ | File #: _____ | |

PART I – REQUIRED MATERIAL

****THE APPLICATION WILL NOT BE ACCEPTED IF THE REQUIRED MATERIALS ARE NOT PROVIDED****

- € Completed SEPA Checklist
- € Application Fee
- € Reduced Site Plan of proposal in 8½" by 11" or 11" by 17" size
- € Trip Distribution and Generation Letter, if requested by Development Engineering.

PURPOSE OF CHECKLIST:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NON-PROJECT PROPOSALS:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

A. BACKGROUND

1. Name of proposed project, if applicable

Crapo Property

2. Name of applicant:

Diamond Rock Construction, Dennis Crapo

3. Address and phone number of applicant and contact person:

**Diamond Rock Construction, 2602 N Sullivan Road, Spokane Valley, WA,
99216. Contact Dennis Crapo at 509-926-8964.**

4. Date checklist prepared:

3/18-19

5. Agency requesting checklist:

City of Spokane Valley

6. Proposed timing or schedule (including phasing, if applicable):

The project is anticipated to begin as soon as possible and upon approval of civil plans and the Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR-F) approval. Project is anticipated to be completed by fall of 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The project site is currently with a FEMA Zone AE designated Floodplain as seen on the Effective Flood Insurance Rate Map (FIRM) dated July 6, 2010, Map Number (53063C0732D) which can be viewed on FEMA'S website.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

A CLOMR-F will be pending approval from FEMA to remove the subject property from the SFHA, and a grading permit will be required through the City of Spokane Valley.

10. List any government approvals or permits that will be needed for your proposal, if known.

A Grading Permit, a Floodplain Development Permit, a FEMA CLOMR-F, and a FEMA LOMR-F will be needed.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The property in question is currently a single family residential lot where the majority of the property is encumbered by the Special Flood Hazard Area (SFHA). This project proposes to remove a portion of the 5.86-acre project lot from the SFHA through a CLOMR-F by FEMA. The owner has other construction sites generating excess structural material, so he intends to haul that material to this site and place it within the SFHA so as to increase the area available for residential use.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project site is located on Parcel # 45333.1807 in Spokane Valley, WA, 99206, on the corner Sundown Drive and Bowdish Road, on Lot 7 of Short Plat SHP-09-10.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)?
The general Sewer Service Area? Priority Sewer Service Area? (See: Spokane County's ASA Overlay zone Atlas for boundaries).

Yes, the project is in an ASA and general sewer service area.

14. The following questions supplement Part A.
- Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA).
 - Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

ground surface (includes systems such as those for the disposal of Stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spill, or as a result of firefighting activities).

Stormwater will be treated and infiltrated onsite within a designated stormwater area/tract per the requirements of the Spokane County Regional Stormwater Manual.

2. Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

No. Does not apply.

3. What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater? This includes measures to keep chemicals out of disposal systems.

No chemicals are expected to be stored onsite.

4. Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a Stormwater disposal system discharging to surface or groundwater?

None anticipated.

b. Stormwater

1. What are the depths on the site to groundwater and to bedrock (if known)?

Depth to groundwater is unknown at this time.

2. Will stormwater be discharged into the ground? If so, describe any potential impacts.

Stormwater will be treated and attenuated onsite within a designated stormwater area/tract per the requirements of the Spokane County Regional Stormwater Manual so no detrimental impacts are expected.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (check one): flat, rolling, hilly, steep slopes, mountainous, other



The site is predominantly flat to rolling.

- b. What is the steepest slope on the site (approximate percent slope)?

There is approximately a 33% slope on the north end of the property where there is an existing stormwater dike for Chester Creek.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Per the Natural Resources Conservation Service Web Soil Survey, soils onsite consist of Endoaquolls and Fluvaquents, 0 to 3 percent slopes, and Urban Land Phoebe Disturbed Complex, 3 to 8 percent slopes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no surface indications or history of unsuitable soils in the immediate vicinity of the site.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Also indicate source of fill.

Some additional fill (approximately 29,000 cubic yards) will be added to the subject property in order to elevate the site and remove the property from the SFHA. All import material will be from a pre-approved source from the onsite geotechnical engineer.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Any possible erosion issues will be mitigated through the use of best management practices such as silt fencing and dust control during the entire construction process.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None at this time.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Any possible erosion issues will be mitigated through the use of best management practices such as silt fencing and dust control during the entire construction process.

2. Air



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Dust and heavy equipment emissions during construction are anticipated. Upon completion of the project, general vehicle emissions resulting from a residential lot are expected.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no offsite sources of emissions or odor known at this time.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

An onsite water truck will spray the ground as necessary to control dust.

3. Water

a. Surface:

1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Chester Creek is adjacent and to the north of the project site and is a seasonal creek. As previously mentioned, the creek is separated with a dike to help prevent surface water from entering the site. There is a 100' critical areas buffer within which there will be no grading. It will be left natural and used for stormwater treatment and storage per the intent of the existing blanket stormwater easement

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes. Work will be limited to the area outside of the 100' buffer established at the time of the final plat that created lot 7.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None. No grading work will take place within Chester Creek and according to the wetland study completed for SHP-09-10 no wetlands are present on the subject property.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No grading work will take place within Chester Creek and no withdrawals or diversions will take place.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. The project site is currently within a FEMA Zone AE designated Floodplain (100-year) as seen on the Effective Flood Insurance Rate Map (FIRM) dated July 6, 2010, Map Number (53063C0732D) which can be viewed on FEMA'S website.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

There will not be any discharges of waste materials to surface waters.

b. Ground:

1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

Groundwater will not be redrawn and no direct discharges to groundwater are proposed.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Wastewater or waste material will not be discharged into the ground.

c. Water runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be treated and infiltrated onsite per the requirements of the Spokane County Regional Stormwater Manual.

2. Could waste materials enter ground or surface waters? If so, generally describe.



SEPA CHECKLIST

EVALUATION FOR AGENCY USE ONLY

No. Please see response b.2 above.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Stormwater will be treated and infiltrated onsite per the requirements of the Spokane County Regional Stormwater Manual.

4. Plants

- a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other.

evergreen tree: fir, cedar, pine, other shrubs.

grass pasture

crop or grain

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation _____

Per Ray Kimball
4/17/19

- b. What kind and amount of vegetation will be removed or altered?

The site will be cleared for the proposed development, and landscaping and hydroseeding will be provided to stabilize the site after the fill is placed.

- c. List threatened or endangered species known to be on or near the site.

Per the United States Department of Fish and Wildlife Service, the following species are found in the region; Bull Trout, Canada Lynx, Spalding Catchfly, UTE Ladies'-Tresses, Water Howellia, and the Yellow-Billed Cuckoo.

Through visual inspection of the site, however, these species were not present.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Hydroseeding will be provided onsite after the fill is placed.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- b. List any threatened or endangered species known to be on or near the site.

Per the United States Department of Fish and Wildlife Service, the following species are found in the region; Bull Trout, Canada Lynx, Spalding Catchfly, UTE Ladies'-Tresses, Water Howellia, and the Yellow-Billed Cuckoo.

Through visual inspection of the site, however, these species were not present.

- c. Is the site part of a migration route? If so, explain.

The site is not known to be a part of a mitigation route other than being located within the Pacific Flyway for waterfowl.

- d. Proposed measures to preserve or enhance wildlife, if any:

None.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None are proposed.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe

There is no contamination at the site from present or past uses that is known.

1. Describe special emergency services that might be required.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

Does not apply.

2. Proposed measures to reduce or control environmental health hazards, if any:

Dust during construction will be mitigated with the use of a water truck as previously mentioned. Other best management practices will be employed if necessary.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

There is not any existing noise in the area that will affect this project.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be noise that is consistent with construction. During construction, hours of operation will follow local requirements for noise restrictions.

3. Proposed measures to reduce or control noise impacts, if any:

During construction, hours of operation will follow local requirements for noise restrictions.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

The current use of the site is a vacant piece of land. Surrounding the site to the south, east and west is similar residential developments, with some commercial uses to the north of the site.

- b. Has the site been used for agriculture? If so, describe.

The project site has not been used for agriculture in the recent past.

- c. Describe any structures on the site.

There are not any existing structures onsite.

- d. Will any structures be demolished? If so, what?

Does not apply, see response 8.c above.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- e. What is the current zoning classification of the site?

The zoning of the property is R-2 Single Family Residential.

- f. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation of the site is Low density Residential (LDR).

- g. If applicable, what is the current shoreline master program designation of the site?

None. Does not apply.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The site is with a FEMA Zone AE designated floodplain.

- i. Approximately how many people would reside or work in the completed project?

None.

- j. Approximately how many people would the completed project displace?

None, the site is current undeveloped and vacant.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Does not apply, see response 8.j above.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed development is consistent with the current residential zoning of the area.

9. **Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

There will not be any existing units eliminated with this proposal.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- c. Proposed measures to reduce or control housing impacts, if any:

None are proposed.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Does not apply.

- b. What views in the immediate vicinity would be altered or obstructed?

None.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Hydroseeding will be provided after fill is placed.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

- c. What existing off-site sources of light or glare may affect your proposal?

None are present.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

There are not any informal recreational opportunities in the immediate vicinity.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, please see response 12a. Does not apply.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

There is not any recreational facilities in the immediate vicinity, and none are proposed. Does not apply.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

There are not any existing structures onsite, and the site is not a part of any park or national forest land. Does not apply.

- b. Generally, describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

A search was conducted on the Washington Information System for Architectural and archaeological Resources website and no information was found.

- c. Proposed measures to reduce or control impacts, if any:

None, please see response 13.b above. Does not apply.

14. Transportation

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.

The site can be accessed from Bowdish Road.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No. The nearest public transit is at the corner of Sprague and University Road (3.4 miles).

- c. How many parking spaces would the completed project have? How many would the project eliminate?

None.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

There is an existing rail road to the north of the subject property, but it will not be used for this project.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None.

- g. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Check utilities currently available at the site:

- Electricity
- Natural gas
- Water
- Refuse service
- Telephone
- Sanitary sewer
- Septic
- Other _____

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

A handwritten signature in blue ink, appearing to read "R. Fin", written over the signature line.

Date: _____

3/19/19

**D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS-Not Applicable**

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
 - a. Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
 - a. Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?
 - a. Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
 - a. Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?



SEPA CHECKLIST

EVALUATION FOR
AGENCY USE ONLY

- a. Proposed measures to avoid or reduce shoreline and land use impacts are

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?
 - a. Proposed measures to reduce or respond to such demand(s) are:

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

E. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this check list.

Date: _____ Signature: _____

Please print or type:

Proponent: _____

Address: _____

Phone: _____

Person completing form (if different from proponent):

Name: _____

Address: _____

Phone: _____



BUILDING AMERICA®

October 31, 2018

VIA EMAIL ONLY: mpalaniuk@spokanevalley.org

Martin Palaniuk
City of Spokane Valley
10210 East Sprague Avenue
Spokane Valley, WA 99206

Re: Comments to Floodplain Development through a Conditional Letter of Map Revision of Tax Parcel 45333.1807 (the "Project")

Dear Mr. Palaniuk

Thank you for allowing Union Pacific Railroad Company ("UP") the opportunity to submit the following comments regarding the above-referenced Project. UP is a Delaware corporation that owns and operates a common carrier railroad network in the western half of the United States, including the State of Washington. UP's rail network is vital to the economic health of Washington and the nation as a whole and its rail service to customers in the City of Compton is crucial to the future success and growth of those customers.

The proposed Project location is adjacent to UP's property and railroad operations. Any land planning decisions should consider that train volumes near the Project area may increase in the future. UP also asks that the City and the applicant keep in mind that this is an active rail corridor and nearby land uses should be compatible with this continuing rail use.

Increased Traffic Impact

Rail crossing safety is critical to the public and to UP. Any increase in traffic from the Project may render inadequate the current safety devices in place on the nearby at-grade crossings. Additionally, any increase of pedestrian and vehicular traffic may conflict with train operations causing trains to proceed more slowly through the City, and/or make more frequent emergency stops, which would make rail service less effective and efficient. Should this Project be approved, the Project developer and the City should examine any increase in vehicular and pedestrian traffic and the impacts on the nearby at-grade road crossings to see what additional mitigation measures should be included in the Project.

Noise and Vibration Impact

UP's 24-hour rail operations generate the noise and vibration one would expect from an active railway. Any increase in pedestrian and vehicular traffic over and around at-grade crossings may result in additional horn use by railroad employees. As a mitigation measure, the developer should disclose to the general public the daytime and nighttime noise levels naturally occurring with rail service, including sounding horns at vehicle crossings where required, as well as the pre-existing and predictably-occurring vibration. These disclosures should note that train volume may increase in the future. The Project's development plans should also include appropriate mitigation measures, such as construction of sound barrier walls or landscape buffers, and/or use of sound-proofing materials and techniques.

Drainage and Project Construction

UP requests the City ensure that the drainage plan relating to the Project does not shift storm water drainage toward UP property and infrastructure. Any runoff onto UP's property may cause damage to its facilities resulting in a potential public safety issue. If the Project is approved, we ask that the City require the applicant to mitigate all safety risks and the impacts of the railroad's 24-hour operations during the construction of the Project, including contacting UP to arrange for flaggers for work performed within twenty-five feet (25') of the nearest track.

At-Grade Rail Crossing and Sight Line Safety

The safety of UP's employees, customers, adjoining land owners, and the communities we operate through is our top priority. At-grade rail crossings are areas where railroad operations and the public come into close contact. Appropriate modifications to the street and warning devices on the nearby rail crossings may need to be included as part of the Project. Development at the Project location may result in poor sight lines for vehicular traffic approaching the at-grade crossings. Should this Project continue, UP requests that the Commission require appropriate setbacks to mitigate any safety risks resulting from reduced visibility.

UP appreciates the developer and the City giving due consideration to the above concerns, as this proposed Project may result in impacts to land use and public safety. UP is open to reviewing detailed plans once in place to insure they will not impact railroad operations. Please give notice to UP of all future hearings and other matters with respect to the Project as follows:

Aaron Galley – Senior Analyst Real Estate
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690 Omaha, NE 68179
(402) 544-8043
apgalley@up.com

Please do not hesitate to contact Aaron Galley if you have any questions or concerns.

Sincerely,



Madeline E. Roebke
Senior General Counsel
Union Pacific Railroad Company

cc: Aaron Galley
Aaron Hunt



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

October 31, 2018

Mr. Martin Palaniuk
Planner
Community and Public Works Department
Building and Planning Division
City of Spokane Valley
10210 E. Sprague Ave.
Spokane Valley, WA 99206

Re: Crapo Property-Diamond Rock Construction, File # SEP-2018-019

Dear Mr. Palaniuk:

Thank you for the opportunity to comment on the proposal to remove 5.86 acres of Lot 7, short plat SHP-09-10 from within a Zone AE designated floodplain through a Conditional Letter of Map Revision – Fill (CLOMR-F) by the Federal Emergency Management Agency (FEMA) (Proponent: Diamond Rock Construction). The Department of Ecology (Ecology) has reviewed the documents and submits the following comments:

Water Quality Program-Shannon Adams (509) 329-3610

A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.

Proper disposal of construction debris must be in such a manner that debris cannot enter the natural stormwater drainage system or cause water quality degradation of surface waters. Dumpsters and refuse collection containers shall be durable, corrosion resistant, nonabsorbent, nonleaking, and have close fitting covers. If spillage or leakage does occur, the waste shall be picked up immediately and returned to the container and the area properly cleaned.

The operator of a construction site that disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.

Mr. Martin Palaniuk
October 31, 2018
Page 2

Owners of sites where less than one acre of total land area will be disturbed must also apply if the construction activity is part of a larger plan of development or sale in which more than one acre will eventually be disturbed. Discharge of stormwater from such sites without a permit is illegal and may be subject to enforcement action by the Department of Ecology.

If any soil or ground water contamination is known to be on the site, additional information is needed. The applicant may be required to submit additional studies and reports including, but not limited to, temporary erosion and sediment control plans, a stormwater pollution prevention plan, a site map depicting sample locations, a list of known contaminants with concentrations and depths found and other information about the contaminants.

Application should be made at least 60 days prior to commencement of construction activities. A permit application and related documents are available online at <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>, or by contacting the Water Quality program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600; (360) 407-6401.

Water Quality Program-Martyn Quinn (509) 329-3472

RCW 90.48.080 prohibits the discharge of polluting matter to waters of the state of Washington. Any discharge of sediment-laden runoff or other pollutants to waters of the State without a permit is in violation of Chapters 90.48 of the Revised Code of Washington (RCW), Water Pollution Control, and 173-201A of the Washington Administrative Code (WAC) Water Quality Standards for Surface Waters of the state of Washington and is subject to enforcement action.

Even on projects that do not require a permit, the discharge of polluting matter to waters of the state of Washington is prohibited and adequate erosion and sediment control measures should be utilized.

State Environmental Policy Act (SEPA)

Ecology bases comments upon information submitted for review. As such, they do not constitute an exhaustive list of the various authorizations you must obtain, nor legal requirements you must fulfill in order to carry out the proposed action.

Please contact the appropriate staff listed above if you have any questions or would like to respond to these comments.

Department of Ecology
Eastern Regional Office
(Ecology File #: 201805832)

cc: Deninis Crapo, President, Diamond Rock Construction

Aziza Foster

From: Harvey, Traci <HarveyT@SpokaneValleyFire.com>
Sent: Thursday, October 25, 2018 7:59 AM
To: Martin Palaniuk
Subject: Re: Review and Comment SEP-2018-0019

Marty,
SVFD has no comments on this SEPA checklist.
Thanks Traci

Sent from my Verizon 4G LTE Smartphone

----- Original message-----

From: Martin Palaniuk
Date: Thu, Oct 18, 2018 12:31 PM
To: 'Avista Dave Byus'; 'Central Valley School District #356'; 'CenturyLink'; 'Chris Johnston'; 'Chris Knudson'; 'Christina Janssen (City of Millwood)'; 'Cindy Anderson (cyan461@ecy.wa.gov)'; 'City of Spokane Tirrell Black'; 'Colin Depner'; 'Comcast'; 'Consolidated Irrigation District #19'; 'Doug Powell'; 'East Spokane Water District #1'; 'East Valley School District #361'; 'Environmental Services Judy Green'; 'Lori Barlow'; 'Inland Power & Light'; 'Jacob McCann (Jmca461@ecy.wa.gov)'; 'Jeff Lawlor (jeffrey.lawlor@dfw.wa.gov)'; 'Makela, Mike'; 'Mike Stone'; 'Model Irrigation District #18'; 'Modern Electric Water Co.'; 'Patnode, Brian (PARKS)'; 'Randy Myhre'; 'Ray Wright'; 'Spokane Aquifer Joint Board'; 'Spokane County Fire District #8'; 'Spokane County Planning & Building'; 'Spokane County Water District #3'; 'Spokane Regional Clean Air Agency'; 'Spokane Regional Health District'; 'Spokane Regional Transportation Council'; 'Spokane Transit Authority'; 'Spokane Tribe of Indians'; 'Harvey, Traci'; 'Vera Water & Power'; 'WA Commerce'; 'WA Dept of Arch and Hist Preservation'; 'WA Ecology, Olympia'; 'WA Fish & Wildlife'; 'WA Natural Resources'; 'WA Parks'; 'WA Transportation'; 'West Valley School District #363'; 'Chad Riggs'; 'Jenny Nickerson'; 'Deanna Horton'; 'Henry Allen'; 'dcpeters02@up.com'; 'Lori Barlow';
Subject: Review and Comment SEP-2018-0019

All,
Please review the attached environmental checklist and floodplain development plan and provide comments as requested in the routing memorandum. The project will remove 5.86 acres of Lot 7, short plat SHP-09-10 from within a Zone AE designated floodplain through a Conditional Letter of Map Revision – Fill (CLOMR-F) by the Federal Emergency Management Agency (FEMA).

We are requesting comments by 5:00 PM on Thursday, November 1, 2018.

Thank you,

Marty

Martin Palaniuk | Planner

10210 E. Sprague Avenue | Spokane Valley, WA 99206

(509) 720-5031 | mpalaniuk@spokanevalley.org



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

Aziza Foster

From: Ray Wright
Sent: Thursday, October 18, 2018 4:17 PM
To: Martin Palaniuk
Subject: RE: Review and Comment SEP-2018-0019

Martin, Traffic has no concerns with this SEPA.

Thank you,

Ray Wright, PE
Senior Engineer, Traffic



10210 E. Sprague Ave.
Spokane Valley, WA 99206
rwright@spokanevalley.org
(509) 720-5019

From: Martin Palaniuk
Sent: Wednesday, October 17, 2018 5:08 PM
To: 'Avista Dave Byus' ; 'Central Valley School District #356' ; 'CenturyLink' ; 'Chris Johnston' ; 'Chris Knudson' ; 'Christina Janssen (City of Millwood)' ; 'Cindy Anderson (cyan461@ecy.wa.gov)' ; 'City of Spokane Tirrell Black' ; 'Colin Depner' ; 'Comcast' ; 'Consolidated Irrigation District #19' ; Doug Powell ; 'East Spokane Water District #1' ; 'East Valley School District #361' ; 'Environmental Services Judy Green' ; Lori Barlow ; 'Inland Power & Light' ; 'Jacob McCann (Jmca461@ecy.wa.gov)' ; 'Jeff Lawlor (jeffrey.lawlor@dfw.wa.gov)' ; 'Mike Makela' ; Mike Stone ; 'Model Irrigation District #18' ; 'Modern Electric Water Company' ; 'Patnode, Brian (PARKS)' ; 'Randy Myhre' ; Ray Wright ; 'Spokane Aquifer Joint Board' ; 'Spokane County Fire District #8' ; 'Spokane County Planning & Building' ; 'Spokane County Water District #3' ; 'Spokane Regional Clean Air Agency' ; 'Spokane Regional Health District' ; 'Spokane Regional Transportation Council' ; 'Spokane Transit Authority' ; 'Spokane Tribe of Indians' ; 'Traci Harvey, Spokane Valley Fire Dept No. 1' ; 'Vera Water & Power' ; 'WA Commerce' ; 'WA Dept of Arch and Hist Preservation' ; 'WA Ecology, Olympia' ; 'WA Fish & Wildlife' ; 'WA Natural Resources' ; 'WA Parks' ; 'WA Transportation' ; 'West Valley School District #363' ; Chad Riggs ; Jenny Nickerson ; Deanna Horton ; Henry Allen ; 'dcpeters02@up.com' ; Lori Barlow
Subject: Review and Comment SEP-2018-0019

All,

Please review the attached environmental checklist and floodplain development plan and provide comments as requested in the routing memorandum. The project will remove 5.86 acres of Lot 7, short plat SHP-09-10 from within a Zone AE designated floodplain through a Conditional Letter of Map Revision – Fill (CLOMR-F) by the Federal Emergency Management Agency (FEMA).

We are requesting comments by 5:00 PM on Thursday, November 1, 2018.

Thank you,

Marty

Martin Palaniuk | Planner
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5031 | mpalaniuk@spokanevalley.org



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

Aziza Foster

From: King, Leslie C (DFW) <Leslie.King@dfw.wa.gov>
Sent: Thursday, November 29, 2018 4:02 PM
To: Martin Palaniuk
Subject: RE: Environmental Review SEP-2018-0019

Hi Marty,

Thanks for checking back in and allowing the opportunity to comment. WDFW recommends maintaining current stream buffers prescribed by the city's Critical Area Ordinance. We also support maintaining functional floodplain processes associated with stream channels. The PHS database does identify wetlands present on the property although it appears a wetland study has been completed.

Thanks again,

Leslie King
WDFW Habitat Biologist
2315 N. Discovery Place
Spokane Valley, WA 99216-1566
509-892-1001 ext. 323
leslie.king@dfw.wa.gov

From: Martin Palaniuk
Sent: Thursday, November 29, 2018 12:02 PM
To: King, Leslie C (DFW)
Subject: Environmental Review SEP-2018-0019

Leslie,

I sent the attached documents to DFW for review. We did not receive any comments from DFW on the checklist. The project is adjacent to Chester Creek so I wanted to confirm that you did not have any comments for the environmental review.

Please confirm you do not have any comments.

Thanks,

Marty

Martin Palaniuk | Planner
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5031 | mpalaniuk@spokanevalley.org



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

Aziza Foster

From: Byus, Dave <Dave.Byus@avistacorp.com>
Sent: Tuesday, October 23, 2018 1:42 PM
To: Martin Palaniuk
Subject: RE: [External] Review and Comment SEP-2018-0019

Hi Marty,

No comments or further requirements from Avista on this

Thanks

Dave Byus
Real Estate Representative



PO Box 3727 MSC-25
Spokane, WA 99220
1411 E Mission Ave. MSC-25
Spokane, WA 99202
P 509.495.2013
C 509.993.7852
<http://www.avistautilities.com>



This email (including any attachments) may contain confidential and privileged information, and unauthorized disclosure or use is prohibited. If you are not an intended recipient, please notify the sender and delete this email from your system. Thank you.

From: Martin Palaniuk [mailto:mpalaniuk@spokanevalley.org]
Sent: Wednesday, October 17, 2018 5:08 PM
To: Byus, Dave ; 'Central Valley School District #356' ; 'CenturyLink' ; 'Chris Johnston' ; 'Chris Knudson' ; 'Christina Janssen (City of Millwood)' ; 'Cindy Anderson (cyan461@ecy.wa.gov)' ; 'City of Spokane Tirrell Black' ; 'Colin Depner' ; 'Comcast' ; 'Consolidated Irrigation District #19' ; Doug Powell ; 'East Spokane Water District #1' ; 'East Valley School District #361' ; 'Environmental Services Judy Green' ; Lori Barlow ; 'Inland Power & Light' ; 'Jacob McCann (Jmca461@ecy.wa.gov)' ; 'Jeff Lawlor (jeffrey.lawlor@dfw.wa.gov)' ; 'Mike Makela' ; Mike Stone ; 'Model Irrigation District #18' ; 'Modern Electric Water Company' ; 'Patnode, Brian (PARKS)' ; Myhre, Randy ; Ray Wright ; 'Spokane Aquifer Joint Board' ; 'Spokane County Fire District #8' ; 'Spokane County Planning & Building' ; 'Spokane County Water District #3' ; 'Spokane Regional Clean Air Agency' ; 'Spokane Regional Health District' ; 'Spokane Regional Transportation Council' ; 'Spokane Transit Authority' ; 'Spokane Tribe of Indians' ; 'Traci Harvey, Spokane Valley Fire Dept No. 1' ; 'Vera Water & Power' ; 'WA Commerce' ; 'WA Dept of Arch and Hist Preservation' ; 'WA Ecology, Olympia' ; 'WA Fish & Wildlife' ; 'WA Natural Resources' ; 'WA Parks' ; 'WA Transportation' ; 'West Valley School District #363' ; Chad Riggs ; Jenny Nickerson ; Deanna

Horton ; Henry Allen ; 'dcpeters02@up.com' ; Lori Barlow
Subject: [External] Review and Comment SEP-2018-0019

All,

Please review the attached environmental checklist and floodplain development plan and provide comments as requested in the routing memorandum. The project will remove 5.86 acres of Lot 7, short plat SHP-09-10 from within a Zone AE designated floodplain through a Conditional Letter of Map Revision – Fill (CLOMR-F) by the Federal Emergency Management Agency (FEMA).

We are requesting comments by 5:00 PM on Thursday, November 1, 2018.

Thank you,

Marty

Martin Palaniuk | Planner
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5031 | mpalaniuk@spokanevalley.org



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

USE CAUTION - EXTERNAL SENDER

Do not click on links or open attachments that are not familiar.
For questions or concerns, please e-mail phishing@avistacorp.com

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or an agent of the intended recipient, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments.

Martin Palaniuk

From: Ann Carey <bobandann03@gmail.com>
Sent: Wednesday, May 1, 2019 3:58 PM
To: Martin Palaniuk; City Council; City Hall; Carrie Koudelka; eheath@spokanevalley.org; gbaldwin@spokanevalley.org; Pamela Haley; Rod Higgins; Brandi Peetz; Arne Woodard; Sam Wood; Ben Wick; lthomson@spokanevalley.org
Subject: SEPA Determination Parcel 45333.1807

I have several concerns regarding Mr Crapo's request to haul approximately 29,000 cubic yards of excess structural materials from other sites to Parcel 45333.1807.

Mr Crapo has a history of filing for requests in small increments, likely in hopes that smaller requests will be approved, whereas larger requests may face more hurdles. A specific example of this is related to the entire parcel of land that Mr Crapo owned in that area. His first request was "just" to fill the flood plain and build 6 houses. Immediately after the 6th house was sold, he filed (and made public) the next phase of his plans for that area (CPA 2018-0003). Those plans, based on the dates, were designed before some of those 6 houses were sold (a fact he did not disclose to the homebuyers). His request to change the zoning was sensibly denied for a number of reasons.

Now, Mr Crapo has regrouped and is "just" asking to fill an additional area of the flood plain. I believe Mr Crapo already knows exactly what he wants to build on top of that fill, but is hoping that the initial request is approved ("Oh, you only want to put fill there? Sure."). Then after the fill is in, he will file the next request to build or change zoning ("Oh, the land has already been filled? Sure, go ahead and build.").

I feel that knowing what is ultimately planned for that land should be considered when deciding whether to allow it to be filled or not. If homes or other properties will eventually be built on that land/fill, it may not be advisable to have construction debris under the homes. And excess structural material could be any number of things - chunks of concrete, wood scraps or other material that may deteriorate causing settling (like the City of Spokane City Hall???), asphalt or metal roofing scraps, trash, and who knows what else once covered up.

Unless of course, Mr Crapo truly only wants some place to **dump** excess construction material, and thinks that property could be his own personal waste transfer station. Which would save him thousands of dollars in fees to Spokane County.

Please consider whether it will be good stewardship of City of Spokane land to dump construction material in a residential area without knowing the future - and complete plans - for the area.

Additionally, I hope the impact to surrounding properties is being considered (i.e., will 29,000 cubic feet of fill result in water runoff to neighboring lots??).

Thank you for letting me share my concerns. Please let me know if you have any questions.

Thank you.

Ann Carey
11317 E Sundown Dr, Spokane Valley, WA 99206

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

20 April 2019

Martin Palaniuk, Planner
City of Spokane Valley Permit Center
10210 East Sprague Ave.
Spokane Valley, WA 99206

Dear Mr. Palaniuk,

This is being sent to request additional information regarding SEPA determination notification posted 04/19/2019 concerning owner Diamond Rock Construction. There are several concerns not identified in the SEPA determination posted on the property.

1. How will the existing storm drainage culvert (see enclosed) be maintained with the anticipated 5 feet of structural fill being imported onto the 3.4 acres of this parcel?
2. Where along the existing city sidewalk will the property drive approach be located?
3. Since the FEMA CLOMR-F is being classified under structural fill materials, how often will the imported truckloads be sampled to verify that structural gradation is being met?

Kind Regards,



Charles Moore

enclosures: SCOUT Parcel Plot View (1)
cc: none

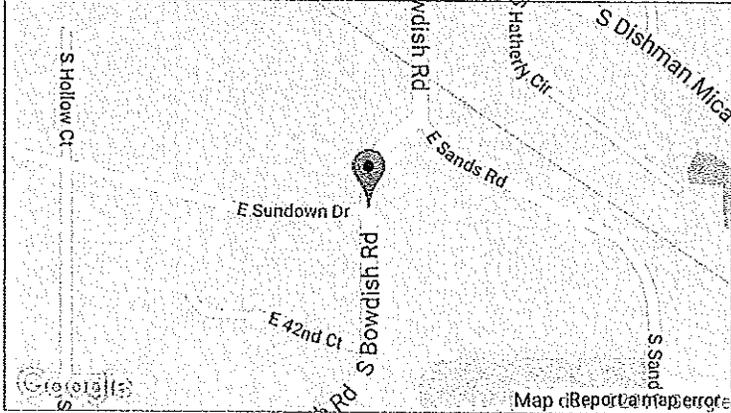
| |
|--|
| Project # _____ |
| RECEIVED |
| APR 23 2019 |
| COSV PERMIT CENTER |
| SUB # <input type="text"/> REV. # <input type="text"/> |



Service Request 15409

Record Info

| | | | |
|------------------------|--------------------------------|----------------------|-------------------------------|
| Request ID: | 15409 | Request Type: | Zoning Questions and Concerns |
| Priority: | 2 | Entered By: | mpatterson |
| Date Submitted: | 4/24/2019 3:46:00 PM | Cross Street: | S Sundown Dr |
| Address: | S Bowdish Rd Spokane Valley | | |



District:

Additional Info:

What type of use or business are you interested in?

Will this be a home-based business?

Comments:

received email on 4/24/2019 at 2:25PM:
Subject: Proposed Housing in Wetlands near Bowdish & Sundown

I am contacting you to determine what is being proposed for the wetlands area in regards to future development and to express my displeasure with the way this is being handled. It is my understanding that this proposal has been put forth with no opportunity for those of us most impacted to have any say in the proposal.

Please clarify for me if you can what is intended and how we can comment on this proposal before it goes any further.

Thank you

Richard & Yolanda Bravinder
S. Sunderland Dr.
Spokane Valley

Private Notes:

Submitter Info

| | | | |
|----------------------|--|---------------|------------------|
| Name: | Bravinder, Richard W | Email: | yoandme2@msn.com |
| Address: | 4115 S Sunderland Dr Spokane Valley, WA 99206 | | |
| Phone #: | Extension: | | |
| Alt. Phone #: | Extension: | | |
| Notify: | <input type="checkbox"/> | | |

Business Name:

Activity List

Date: 4/24/2019 3:46:00 PM**User:** mpatterson**Comments:** Service Request Open - ID 15409
Routed To: Planning, Records Managment
Comments: received email on 4/24/2019 at 2:25PM:
Subject: Proposed Housing in Wetlands near Bowdish & Sundown

I am contacting you to determine what is being proposed for the wetlands area in regards to future development and to express my displeasure with the way this is being handled. It is my understanding that this proposal has been put forth with no opportunity for those of us most impacted to have any say in the proposal.

Please clarify for me if you can what is intended and how we can comment on this proposal before it goes any further.

Thank you

Richard & Yolanda Bravinder
S. Sunderland Dr.
Spokane Valley

Date: 4/24/2019 4:06:00 PM**User:** chinshaw**Comments:** SEP-2018-0019
Forwarding this to Planner Marty Palaniuk. He will notify the customer. And respond with notes in Smartgov.