



## Community Development Department

Director: Lauren Prentice

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[https://www.co.walla-walla.wa.us/residents/community\\_development/index.php](https://www.co.walla-walla.wa.us/residents/community_development/index.php)

### FINAL MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

<b>File:</b>	<b>SEPA20-013, SUB20-009</b>
<b>Description of Proposal:</b>	Wegner 2-lot Short Plat. The Applicant proposes to subdivide a 10.29-acre lot into one 5-acre lot and one 5.29-acre lot. The property is bounded on the north by Mill Creek. The site is located generally at 428 S HUSSEY ST (APN 350726521542) in the Rural Residential 5 zoning district.
<b>Proponent:</b>	WEGNER, MARK R 428 S HUSSEY ST WALLA WALLA WA, 99362
<b>Owner:</b>	WEGNER, MARK R & KRISTEN 428 S HUSSEY ST WALLA WALLA WA, 99362
<b>Location of Proposal:</b>	The site is located generally at 428 S HUSSEY ST (APN 350726521542).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. 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.

The Mitigated Determination of Non-Significance (MDNS) is based on the project as proposed and reflected in the following:

- SEPA Checklist (SEPA20-013), dated 9/24/2020
- Critical Areas Permit Application (CAP20-029), submitted 10/21/2020
- Short Plat Application (SUB20-009), submitted 9/24/2020
- Revised Short Plat Map (SUB20-009), submitted 11/15/2021
- Letter from Walla Walla County Surveyor dated 11/16/2021
- Comments from Ashley Morton, Archaeologist II, Confederated Tribes of the Umatilla Indian Reservation dated 11/12/2020
- Comments from the Washington State Department of Archeology and Historic Preservation, dated 9/08/2021 & 9/10/2021
- SEPA Staff Evaluation Report dated 5/5/2022

This MDNS is issued after using the optional DNS process in WAC 197-11-355. **There is no further comment period on this DNS.**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency is requiring additional mitigation measures under SEPA to protect Cultural Resources.

This MDNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); if there is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or if the MDNS was procured by misrepresentation or lack of material disclosure.

**Mitigation Measures:**

1. **Background:** The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) responded during the comment period on the Notice of Application that a cultural resources survey with subsurface testing as the subject property is in close proximity to a known burial site.

**Mitigation Measure:** Prior to any ground disturbance, the applicant shall coordinate with CTUIR to investigate the property for potential cultural resources by conducting a survey or alternative measure.

**Lead Agency:** Walla Walla County

**Responsible official:** Lauren Prentice, Community Development Director


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**Issue Date:** 5/5/2022

**Signature:**  **Date:** 5/5/2022

**Staff Contact:** Jennifer Ballard, Senior Planner, 509-524-2626

You may appeal this determination, in writing, to the CDD no later than fourteen days from the date of issue. You should be prepared to make specific factual objections. Contact the CDD to read or ask about the procedures for SEPA appeals and obtain details regarding submittals for appeals (including application forms and fees). Walla Walla County Code (WWCC) Chapter 14.11 outlines the County's appeal procedure.



# Walla Walla County Community Development Department

310 W. Poplar Street, Suite 200, Walla Walla, WA 99362 / 509-524-2610 Main

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File No. SEPA22-002  
CUP22-002, WP22-001

## STATE ENVIRONMENTAL POLICY ACT (SEPA)

### Final Staff Evaluation Report for Environmental Checklist

*This document is intended to supplement information in the applicant's submitted environmental checklist and also document some staff evaluation of the proposal. It is meant to serve as a supplement to the primary documents required by SEPA.*

**Date:** 5/5/2022

**Project Name:** **Wegner 2-lot Short Plat**

**Proponent:** WEGNER, MARK R  
428 S HUSSEY ST  
WALLA WALLA WA, 99362

**Description of Proposal:** Subdivide a 10.29-acre lot into one 5-acre lot and one 5.29-acre lot. The property is bounded on the north by Mill Creek.

**Location of Proposal:** The site is located generally at 428 S HUSSEY ST (APN 350726521542).

**Zoning:** Rural Residential 5-acres (RR-5)

**Comprehensive Plan Map Designation:** Rural Residential 5-acres

**Shoreline Master Program Designation:** Rural Residential

**Conclusions:** Based on the analysis herein, the proposal can be found to not have a probable significant adverse impact on the environment. The County reserves the right to review any future revisions or alterations to the site or to the proposal in order to determine the environmental significance or non-significance of the project at that point in time. Per the comments submitted by DAHP and CTUIR, the application has not adequately mitigated potential impacts to cultural resources so an MDNS should be issued instead of a DNS.

**Prepared by:** Lauren Prentice, Director

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### Reviewed project and environmental documents:

- SEPA Checklist (SEPA20-013), dated 9/24/2020
- Critical Areas Permit Application (CAP20-029), submitted 10/21/2020

- Short Plat Application (SUB20-009), submitted 9/24/2020
- Revised Short Plat Map (SUB20-009), submitted 11/15/2021
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## **Agency Distribution:**

The optional DNS process was used. A Notice of Application ODNS was issued on November 10, 2020. Application materials were distributed to the follow agencies for review:

- Walla Walla County Public Health Department, Environmental Health Division
- Walla Walla County Public Works Department
- Walla Walla County Fire Marshal/Building Official
- Confederated Tribes of the Umatilla Indian Reservation
- Washington State Department of Archaeology and Historic Preservation
- Washington State Department of Natural Resources
- Washington State Department of Ecology
- Walla Walla County Fire District No. 4
- Walla Walla County Conservation District
- Washington State Department of Fish and Wildlife
- Walla Walla Valley Metropolitan Planning Organization
- Walla Walla County Sheriff
- College Place Public Schools
- Blalock Irrigation District

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## **A. Background**

Answer 8 states incorrectly that no other government approval are pending; preliminary short subdivision and critical areas permit applications are under review.

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## **B. Environmental Elements**

### **1. Earth**

Generally concur with checklist.

### **2. Air**

Generally concur with checklist.

### **3. Water**

Generally concur with checklist, except on 3.a.l.c the checklist states that no threatened or endangered species are on or nearby site. Mill Creek, which is the north border of this property provides habitat for Summer Steelhead and Bull Trout which are listed as threatened under the Endangered Species Act (ESA).

**4. Plants**

Generally concur with checklist.

**5. Animals**

Generally concur with checklist, except on 5.c which states that the site is not part of a migration route. Mill Creek is a wildlife corridor.

**\*\*SUBMITTED CHECKLIST IS MISSING PAGES 6 AND 7 – Responses to missing question are provided here.\*\***

**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.** No development is proposed with the preliminary short plat application; future development on this site would be expected to use electric and natural gas.

**b. Would your project affect the potential use of solar energy by adjacent properties?**

**If so, generally describe.** No development is proposed with the preliminary short plat application; future development would have to comply with setback and height standards but would be not expected to impact solar energy use on adjacent properties due to size of lots.

**c. What kinds of energy conservation features are included in the plans of this proposal?** None proposed.

**List other proposed measures to reduce or control energy impacts, if any:** None needed. Future developments will have to comply with Washington State Energy Code (WSEC) as applicable.

**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.** No development proposed with this application; future development most likely to be rural residential which would not have significant environmental health risks.

**1) Describe any known or possible contamination at the site from present or past uses.** None known.

**2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.** None known.

**3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.** None proposed for this project.

**4) Describe special emergency services that might be required.** No development proposed now, but this subdivision is likely to result in the development of an additional single-family residence which would require typical emergency services.

**5) Proposed measures to reduce or control environmental health hazards, if any:**  
None needed.

**b. Noise**

**1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?** None identified.

**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)?** Indi-cate what hours noise would come from the site. No development is proposed, so no noise would be generated. If development is proposed in the future, short term noise would be generated during construction.

**3) Proposed measures to reduce or control noise impacts, if any:** None needed. Future use and development will have to comply with Walla Walla County Code Chapter 9.20, Noise Regulationsl.

**8. Land and Shoreline Use**

**a. What is the current use of the site and adjacent properties?** Proposed Lot 1 contains a single-family residence and a barn. Lot 1 is undeveloped. **Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.** No.

**b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?** This property is not designated agricultural land of long-term commercial significance.

**1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:** No.

**c. Describe any structures on the site.** There is a barn and house on proposed Lot 1.

**d. Will any structures be demolished? If so, what?** No.

**e. What is the current zoning classification of the site?** Rural Residential 5-acres (RR-5)

**f. What is the current comprehensive plan designation of the site?** Rural Residential 5-acres

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

**h. Has any part of the site been classified as a critical area by the city or county? If so, specify.** The site is located within the following critical areas: geologically hazardous areas (Moderate to High Liquefaction potential); fish and wildlife conservation area (100-foot buffer); frequently flooded areas; and critical aquifer recharge areas (Walla Walla River Shallow Gravel Aquifer CARA). Since no development was proposed, no critical areas reports were required. Development within and adjacent to these areas on both lots may require an additional critical areas permit and critical areas reports.

**i. Approximately how many people would reside or work in the completed project?**  
The project does not include development so no additional people would reside or work on

either lot. Future construction on proposed Lot 2 likely to result in one additional family.

**j. Approximately how many people would the completed project displace?** None.

**k. Proposed measures to avoid or reduce displacement impacts, if any:** Not applicable.

**9. Housing**

Generally concur with checklist.

**10. Aesthetics**

Generally concur with checklist. Construction will have to be designed to comply with height and other dimensional standards in WWCC 17.18.020. The county does not have any design standards.

**11. Light and Glare**

Generally concur with checklist.

**12. Recreation**

Checklist states that there are no formal or informal opportunities in the immediate vicinity, though Mill Creek does provide informal recreational opportunities. Agree no impact from this proposal.

**13. Historic and cultural preservation**

Per the comments submitted by DAHP and CTUIR, the application has not adequately mitigated potential impacts to cultural resources so an MDNS should be issued instead of a DNS.

The submitted SEPA checklist stated that methods are needed to determine the presence and of resources on the site, which is not appropriate due to the location. Per DAHP, "the area is considered "high risk" for the presence of archaeological sites..." Since no ground disturbance is proposed at this time, no additional review is required. However, mitigation is needed to ensure that future construction and ground disturbance has archaeological oversight. A mitigation measure shall be included to require such oversight. As described by DAHP, the level of oversight needed will be determined based on the scope of disturbance proposed. This may range from a simple Inadvertent Discovery Plan (IDP), construction monitoring, or a reconnaissance or intensive survey.

**14. Transportation**

Generally concur with checklist. Lot 1 has frontage and access from S. Hussey, a public road. Access to proposed Lot 2 will have access to S. Hussey via an existing easement. The Public Works Department reviewed the proposal and recommended approval.

**15. Public Services**

The NOA ODNs was sent for comment to both the Walla Walla County Sheriff and Fire District No. 4. Neither agency submitted comments.

**16. Utilities**

Generally concur with checklist.