

**City of Castle Rock, Washington**  
**Mitigated Determination of Non-Significance (MDNS)**  
**Castle Rock Landing on the Cowlitz Master Planned Mixed Use Development**  
**Excavation & Mass Grading Permit**  
**September 22, 2022**

**Project Description**

On November 8, 2021, the Castle Rock City Council approved the Castle Rock Landing on the Cowlitz as a Master Planned Mixed Use Development subject to conditions. The development is proposed as a mixed-use master plan with a site area of approximately 118 acres. The subject of this application is the mass grading of the Landing site, along with grading activities on the adjacent Department of Natural Resources (DNR) site to the south. The mass grading action will move approximately 1,218,000 CY of material within the two properties.

**Project Location**

The Castle Rock Landing on the Cowlitz Master Planned Mixed Use Development site is accessed from I-5 from Exit #48 and is located on the southside of Huntington Avenue S, approximately ¼ mile west of the exit. The property is temporarily accessed via Larsen Lane SW, and an access road from Huntington Avenue will be installed for use during any grading activities. The access road has been submitted for approval under a separate permit process.

**Required Permits and Approvals**

The Excavation and Grading Permit will require the following local, state, and federal permits and approvals:

1. City of Castle Rock SEPA Threshold Determination.
2. City of Castle Rock Critical Areas Permit and Floodplain Permit.
3. City of Castle Rock Mass Grading Permit.
4. Washington State Joint Aquatic Resources Permit (JARPA)
5. Department of Ecology Construction Stormwater Permit
6. Department of Natural Resources (DNR) Right of Entry License and Valuable Materials & Sales Agreement
7. City of Castle Rock approval of Erosion, Sediment and Dust Control Plans integrated with Interim Stormwater Management Plans prepared in accordance with the *1992 Department of Ecology Stormwater Manual for the Puget Sound Basin* as adopted and implemented by the City of Castle Rock.

**SEPA Threshold Determination**

The City of Castle Rock Development Review Team has reviewed the SEPA Checklist prepared for the excavation and mass grading permit dated as received by the City on May 25, 2022, and the corresponding application materials, and has determined that the project as designed and to be implemented in accordance with the provisions of the Castle Rock Municipal Code and the conditions of approval of the Master Planned Mixed Use Development, will not have a probable, significant adverse impact on the environment and an EIS is not required under RCW 43.21C.030 (2) (c). This Mitigated Determination of Non-Significance was issued under WAC 197-11-340(2), the City held a 14-day comment period on this SEPA Threshold Determination, which ended Tuesday, September 6, 2022.

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Appeals must be filed in accordance with Castle Rock Municipal Code Section 18.04 and WAC 197-11-680. Appeals must be submitted in writing within 10 days of this notice to Karlene Akesson, Deputy City Clerk, City of Castle Rock, PO Box 370, Castle Rock, WA 98611 or to [kakesson@ci.castle-rock.wa.us](mailto:kakesson@ci.castle-rock.wa.us).

A copy of the SEPA checklist, and the following project materials are available for viewing online at [www.ci.castle-rock.wa.us](http://www.ci.castle-rock.wa.us).

1. *CR 21-91 Master Application for Mass Grading Permit including the following exhibits:*
  - a. Master Application, #CR22-23.
  - b. Summary Narrative, dated May 6, 2022
  - c. Exhibits
  - d. SEPA Checklist, dated May 6, 2022
  - e. Archeological Report, dated February 11, 2022
  - f. Geotechnical Study, dated February 23, 2021
  - g. Critical Areas Report, amended April 12, 2022
  - h. Floodplain Memorandum, dated March 11, 2022
  - i. Joint Aquatic Resources Permit Application (JARPA), dated May 6, 2022
2. *Castle Rock Landing on the Cowlitz Master Site Plan effective November 17, 2021.*
3. *Castle Rock Landing on the Cowlitz Master Planned Mixed Use Development Conditions of Approval effective November 17, 2021.*

**Measures to Avoid and Minimize Potential Adverse Impacts**

The project has been designed to avoid and minimize adverse impacts to the environment and the following measures shall be included as conditions of approval of all City permits and approvals.

1. The Project Sponsor shall communicate updates to the City and Neighbors affected by the development in key stages of the project. The development shall not adversely alter or impact neighboring properties drainage patterns.
2. The Project Sponsor shall phase the grading and site work. Such plans shall be communicated and submitted to the city for review.
3. The City and the Project Sponsor shall continue to consult with the Cowlitz Indian Tribe in accordance with the cultural and archaeological survey. If human remains, or cultural artifacts are discovered during construction, City protocols shall be implemented in accordance with the provisions of State law. This shall include:
  - a. Upon discovery of any human remains, artifacts, or evidence of potential archaeological, historical, or cultural resources all construction activities or uses authorized shall be suspended pending authorization to proceed from the City, and/or the Washington State Department of Archaeology and Historic Preservation, in accordance with the provisions of

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- state and federal law, including, but not limited to RCWs 68.50.645, 27.44.055, and 68.60.055.
- b. If ground disturbing activities encounter human skeletal remains during construction, then all activity shall cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the Washington State Department of Archaeology and Historic Preservation (DAHP) provides notice to proceed. The finding of human skeletal remains shall be reported to the Castle Rock Police Department and the Cowlitz County Coroner in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The County Coroner will assume jurisdiction over the human skeletal remains and decide of whether those remains are forensic or non-forensic. If the County Coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the Cowlitz Indian Tribe. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.
  - c. If ground disturbing activities encounter artifacts, or evidence of potential archaeological, historical, or cultural resources during construction, then all activity shall cease that may cause further disturbance to those items. The Project Sponsor shall immediately contact the Castle Rock Public Works Department to determine how best to secure the site and to consult with the Cowlitz Indian Tribe and the DAHP.
4. Critical Areas: The Project Sponsor will not be impacting the wetlands or habitat buffers during this project phase. The following measures shall be met to mitigate the project impacts:
- a. In the event of development or grading within 250' of the Cowlitz River or Salmon Creek, the applicant shall submit a Habitat Management Plan.
  - b. Wetland buffer and protection managed in accordance with the Critical Areas Report and Permit. All wetland categories shall be maintained in accordance with Castle Rock Municipal Code Critical Areas, Chapter 18.10. Appropriate BMPs will be installed to mitigate the development.
  - c. Wetland delineation must be verified by the Army Corp of Engineers through a field study and submitted to the city prior to any grading work.
  - d. Frequently flooded areas shall be mitigated in accordance with FEMA and State regulations. Relative to floodplain work the following mitigation efforts shall be addressed:
    - i. The project sponsor shall coordinate relative to the project site, with DNR to move property to baselevel of 100-year flood elevation without negatively impacting properties up or down stream.
5. Stormwater:
- a. All temporary and permanent erosion control Best Management Practices shall be designed, installed, and maintained in accordance with the provisions of the *1992 Department of Ecology Stormwater Manual for the Puget Sound Basin* as adopted and

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- implemented by the City of Castle Rock and the construction Stormwater Pollution Prevention Plan (SWPPP).
- b. Per the 1992 Stormwater Management Manual for the Puget Sound Basin, the Mass Grading consists of land disturbing activity of one acre or greater, a stormwater site plan addressing minimum requirements #1 through #11 is required.
  - c. The applicant shall submit a plan to the City that addresses the needs for temporary emergency pumping of stormwater in the event the water surface elevation within the applicant's property for stormwater events up to and including the 100-year storm reaches elevation 43.2' (NAVD88), at which point the water surface elevation must be monitored for the potential risk of flooding adjacent properties. The plan will address a trigger mechanism at which time temporary emergency pumping of stormwater will occur by the applicant. This condition applies only until the permanent stormwater infrastructure is in place as part of the future development of the property identified in the permit applications.
6. The project sponsor is required to provide an authorization or approval from the Washington State Department of Natural Resources (DNR) indicating the dredge spoils from the DNR site can be used on the applicant's site.
  7. The City of Castle Rock Public Works Department will conduct an onsite pre-construction conference with before written authorization to proceed will be issued.
  8. The permanent stormwater design for the proposed development is separate from the stormwater design for the Phase 1 – Mass Grading and will still need to be submitted separately at the time of future proposed development.

For more information about this project and the mass grading permit for Castle Rock Landing on the Cowlitz Master Planned Mixed Use Development, please contact:

**City of Castle Rock Project Manager:** Dave Vorse, Public Works Director.

**Telephone:** (360) 274-7478.

**Email:** [crpwd@ci.castle-rock.wa.us](mailto:crpwd@ci.castle-rock.wa.us)

**Mailing Address:** City of Castle Rock, PO Box 370, Castle Rock, WA 98611.

**Project Representative:** Marty Snell, MacKay Sposito.

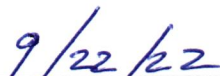
**Telephone:** (360) 823-1358.

**Email:** [msnell@mackaysposito.com](mailto:msnell@mackaysposito.com)

**Mailing Address:** Mackay Sposito, 1325 SE Tech Center Drive, Vancouver, WA 98683.



Signature



Date