

City of Tenino

Washington

149 Hodgden Street South PO Box 4019 Tenino, WA 98589 (360) 264-2368

**TENINO AGRICULTURAL PARK
PSD2022-0001**

**STAFF REPORT: RYAN SHEA, CITY PLANNER
SEPTEMBER 28, 2022**

OWNER: City of Tenino
149 Hodgden Street South
Tenino, WA 98589

APPLICANT: City of Tenino

REQUEST: **Preliminary Plat** approval for Tenino Agricultural Park, a request to subdivide a city-owned 20.07-acre parcel zoned Public/Semi-Public into five lots, 1 housing the existing wastewater treatment plant and 4 for future development. Also included are tracts for storm drainage and shared access/parking.

MEETING DATE: October 5, 2022, Special Planning Commission Public Hearing

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Planning Commission **APPROVE Preliminary Plat PSD2022-0001** for a 5-lot subdivision, based upon finding that the request meets all applicable standards set forth in the Tenino Municipal Code with the following conditions:

1. Prior to obtaining a site development permit, the applicant shall demonstrate compliance with the City's stormwater requirements and ensure facilities are installed to contain all runoff on-site.
2. A note must be placed on the final plat indicating the site is within a critical aquifer recharge area.
3. Prior to final subdivision approval, an Integrated Pest and Vegetation Management Policy (IPM) must be prepared and approved by Thurston County Environmental Health.
4. Prior to commencing any land disturbing activities, the applicant must obtain a site development permit.
5. Prior to final plat, hydrants shall be installed per the requirements of the Fire Marshall.
6. Prior to final plat, frontage improvements shall be installed per Title 114 requirements.
7. Concurrent with Final Plat, adequate provisions for ownership and maintenance of the common

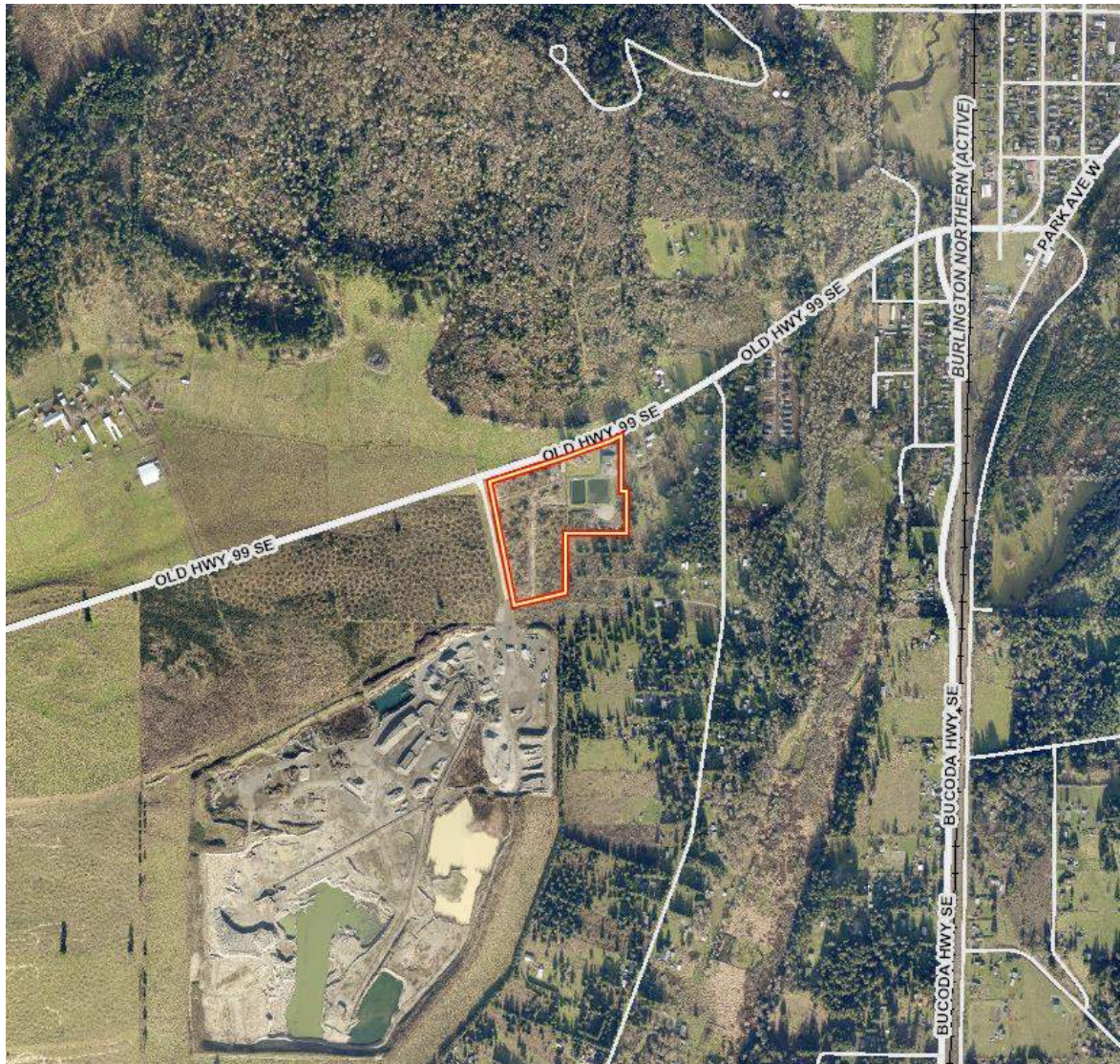
areas shall be recorded with the Thurston County Auditor. Such provisions must address ownership, right of use, responsibility for maintenance, remedies in the event any of the responsible parties fail to perform, and procedures for modification or vacation of easements or tracts and associated facilities not required as a condition of the land division approval.

BACKGROUND

SITE DESCRIPTION

Property Location: 16402 Old Highway 99 SE, Tenino, WA 98589
Parcel Number: 12625130103
Zoning: Public/Semi-Public
Property Size: 20.07 acres

VICINITY MAP



BACKGROUND

This proposal divides the property associated with the Southwest Washington Agricultural Business & Innovation Park Master Plan.

PROPOSAL

The applicant proposes to subdivide a city-owned 20.07-acre parcel zoned Public/Semi-Public into five lots. One parcel would include the City's existing wastewater treatment plant and the other four parcels would be reserved for future development. The proposed preliminary plat also includes tracts for storm drainage and shared access/parking. The site is envisioned to ultimately house the SW Washington Agricultural Business Park, and this proposal is related to a master plan developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over several years.

Lot 1:	7.16 acres (Wastewater Treatment Plant)
Lot 2:	40,834 square feet (.09 acre)
Parcel 3:	17,947 square feet (.41 acre)
Parcel 4:	31,716 square feet (.73 acre)
Parcel 5:	345,917 square feet (7.93 acre)
Remaining Tracts:	Storm Drainage and Utility Easements (2.9 acres)

APPLICABLE LAND DEVELOPMENT REGULATIONS

Title 106 – ZONING DESIGNATIONS

Chapter 106.50 – SPECIAL PURPOSE ZONES

Section 106.50.010 – Public/semi-public (P/SP) zone.

Staff Comment (Complies): The property is subject to P/SP zoning regulations. The dimensional standards and density standards in this zone are minimal, which the proposed plat meets or will be required to meet at time of building permit. The current use for the existing parcel is the City's Wastewater Treatment Plan. Future uses are anticipated to be agricultural related businesses and will be evaluated under the applicable zoning designations when they are applied for.

Dimensional Limitation	LDR Standard	Proposal
Minimum Lot Width	N/A	Lot 3: ~100'
Minimum Lot Depth	N/A	Lot 3: ~100'
Maximum Lot Coverage	100%	Applies at Building Permit
Required Setbacks		
<i>Front</i>	0'	Applies at Building Permit
<i>Front (garage/carport)</i>	0'	Applies at Building Permit
<i>Side</i>	0'	Applies at Building Permit
<i>Rear</i>	0'	Applies at Building Permit
Maximum Building Height	Case by Case	Applies at Building Permit
Maximum Density (du/ac)	N/A	N/A
Minimum Lot Size (sf)	N/A	17,947 sf

Title 108 - DEVELOPMENT STANDARDS
Chapter 108.30. - City-Wide Applicability
Section 108.30.020. - Concurrency

Staff Comment (Complies as Conditioned): All new development is required to be connected to a primary infrastructure system to support the use. Primary infrastructure includes the following:

- **Stormwater.** As part of the required improvements within subdivisions, TMC 114.50.020 states the following regarding stormwater: “The city shall, as a condition of approval of any division of land, whether subdivision, require the developer to construct storm drainage facilities such as dry wells, retention/detention basins, or other methods acceptable to the city, based on the adopted stormwater design manual so that excess storm runoff water will be satisfactorily contained. If deemed necessary by the city engineer, higher runoff factors, increased basin sizing and/or decreased outflow rates may be required when the developer designs said containment facilities. The developer may be required to provide engineering analysis that such retention/detention basins and stormwater runoff containment facilities will contain 100-year runoffs so that storm runoff from the developed land division, whether by formal subdivision is no greater than it would have been if the land was left undeveloped.” Staff has added **Recommended Condition of Approval #1** to address stormwater requirements.
- **Fire and emergency medical service.** The new lots represent a minimal impact to emergency services, which are currently available in Tenino. The application was sent to the Fire Marshall and no comments were received. Water mains are supplied to the site along with three hydrants already installed with adequate fire flows.
- **Water.** The City Public Works director stated that a water main has been brought to the site and has adequate capacity to serve the proposed subdivision.
- **Transportation and transit facilities.** No transit facilities are required to be constructed as part of this request. New internal roads are proposed to provide vehicular and pedestrian access to each lot. Future project-based developments will be evaluated for potential traffic impacts as they are applied for.
- **Electrical.** Connection to electrical service is required for all proposed lots and connection to Puget Sound Energy’s electrical grid is possible.
- **Septic systems or sanitary systems.** Connections to the City of Tenino wastewater treatment system must be provided. The Public Works Director has reviewed the proposal. The eastern portion of the property houses the city’s wastewater treatment facility which currently processes approximately 95,000 gallons a day. The permitted processing capacity is 230,000 gallons a day, therefore current treatment capacity is not an issue. Sewer lines are already located on site and are adequate to service the proposed lots.
- **Schools.** School impact fees are required to be paid prior to issuing building permits.

Section 108.30.120. - Tree preservation

Staff Comment (Complies): At least 25% of the significant trees on a property are required to be maintained. For a tree to be considered ‘significant,’ it must be at least 15 inches in diameter, in good health, and not pose a public safety risk (i.e. diseased, damaged, or likely to fall in a public right-of-way). Regardless of size, cottonwoods, alders, poplars, and big leaf maples are never considered a significant tree.

Based on historic aerial photography, from 1990 to 2021, the only trees located on the site are those lying within future Lot 1. This platting action and subsequent improvements are expected to impact no trees on site.



Title 112 - DEVELOPMENT REGULATIONS CRITICAL AREAS AND NATURAL RESOURCELANDS

Chapter 112.20.060 - Wetlands

Staff Comments (N/A): No wetlands were identified on the site.

Chapter 112.20.070. - Critical Aquifer Recharge Areas (CARAs)

Staff Comments (Complies as Conditioned): The majority of the property subject to this request is located in a CARA. When it comes to protecting water quality, development within CARAs may be permitted only if the applicant can show that proposed activity will not cause contaminants to enter the aquifer and the proposed activity will not adversely affect the recharging of the aquifer. Future development will be required to meet these standards. A note must be placed on the final plat indicating the site is within a critical aquifer recharge area. Staff has added **Recommended Condition of Approval #2 & #3** to address critical aquifer recharge areas.

Chapter 112.20.080. – Frequently flooded areas

Staff Comments (N/A): The property subject to this request is within FEMA zone X, meaning it is in an area determined to be outside the 0.2% annual chance of flood.

Chapter 112.20.090. – Geologically hazardous areas

Staff Comments (N/A): The probability of a volcanic hazard event occurring in Tenino is of such

insignificance that it is not considered a potential within the city limits. The site is also not within a landslide hazard area. Potential seismic hazard areas include areas in a landslide hazard area and areas with a moderate to high or a high liquefaction susceptibility. The subject property is not in an area with landslide hazards and has a very low susceptibility to liquefaction. Lastly, Erosion hazards are those areas identified as having severe rill and inter-rill erosion hazards. The term 'rill' refers to a small, steep-sided channel caused by erosion. These types of lands are minimal within city boundaries, and potential erosion hazards are therefore handled through grade and fill regulations pursuant to Title 104, Building and Construction.

Chapter 112.20.100. – Fish and wildlife habitat conservation areas

Staff Comment (Complies as Conditioned): The site has been identified to have prairie soils in primarily the southeast portion of the site. A Mazama Pocket Gopher study was conducted in 2019 and no activity has been identified.

Habitats

- **Westside Prairie.** The subject property has soils indicative of Westside Prairie and after an onsite assessment in 2019 it was found that there are areas of the site with prairie vegetation plant communities, particularly in the southeast portion of the site which was previously defined as a Prairie Conservation Area when the development of the wastewater treatment facility occurred. The report also notes that Scot's broom is expanding rapidly onsite and currently covers about 50% of the surface.

Species

- **Mazama Pocket Gopher (MPG).** The property has soils indicative of the Mazama pocket gopher habitat. Per a MPG survey of the entire property in 2019 (documented in the "Mazama Pocket Gopher Screening Results"), no Mazama Pocket Gopher mounds or activity has been documented on site in studies carried out in 2005, 2006, 2007, and 2019.

Title 114 - SUBDIVISIONS AND PLATTING

Section 114.20.030. - Plan required.

Staff Comment (Complies as Conditioned): Prior to commencing any land disturbing activities, the applicant must obtain a site development permit. Staff has added **Recommended Condition of Approval #4.**

Section 114.50.020. - Improvements required.

Staff Comment (Complies as Conditioned): Land divisions may be subject to improvement requirements, including the following:

- **Trails.** Land divisions located along trail corridors identified in the Comprehensive Plan must provide a public pedestrian easement for trail extensions. Currently, there are no trail corridors identified in the Comprehensive Plan along Old Highway 99.
- **Potable Water.** Each proposed building lot will be served by the city's water system with water mains already on site which are adequate to serve future uses and any associated necessary infrastructure like fire hydrants.
- **Flood or Geologic Hazard.** The city may disapprove subdivisions or portions of subdivisions affected by flood and geologic hazards. The property is not in a mapped flood zone, landslide hazard area, or seismic hazard area, and erosion hazards are handled by grade and fill regulations.

- **Storm Drainage Containment.** Prior to issuing the site development permit, the applicant must – to the satisfaction of the City Engineer – demonstrate the stormwater facilities contain all runoff on-site. Staff has added **Recommended Condition of Approval #1** to address this requirement. See the discussion of TMC Sec. 108.30.020., Concurrency, for more information.
- **Fire Protection.** Prior to Final Plat approval, fire hydrants shall be approved by the Fire Marshall. Staff has added **Recommended Condition of Approval #5** to address fire hydrants.
- **Sanitary Sewer and/or Interim Septic Systems.** The applicant is required to connect all lots to the city’s sewer system.
- **Streets and Access.** The site will be served by an internal system of streets with access to all lots.
- **Streets.** The applicant does not propose establishing any private streets.
- **Street Frontage Improvements.** All land divisions must include street frontage improvements. Frontage improvements along exterior streets must be constructed and approved prior to issuing of building permits. Unless they already exist, such improvements must include curbs, gutters, sidewalks, and may include street storm drainage, lighting, traffic signals or modifications, utility relocation, landscaping and irrigation, and street widening. All improvements must be made across the full frontage of the property from the centerline of the constructed street facility to the outside limit of the improvements. At a minimum, such improvements must include curbs, gutters, and sidewalks. Staff has added **Recommended Condition of Approval #6** to address frontage improvements.
- **Common Areas and Facilities.** The proposal includes multiple common tracts serving as storm drainage and shared access/parking/utility easements; these facilities benefit more than one property owner and are therefore considered common areas. Dedications/notes must be placed on the final plat specifying the use for which these tracts are created and assigning ownership and use interest. Prior to Final Plat approval, adequate provisions for ownership and maintenance of the common areas must be provided. Staff has added **Recommended Condition of Approval #7** to address common areas and facilities.
- **Undergrounding of Utilities.** The applicant proposes installing all utilities underground, consistent with the city’s requirements.
- **Gated Entrances Prohibited.** The applicant does not propose installing gated entrances.
- **Fences and Walls.** If fences or walls are proposed in the future they must be consistent with the City’s requirements per TMC 114.50.020 (N).

SEPA REVIEW

Staff Comments (Complies): A SEPA checklist dated August 31, 2022 was reviewed as well as a supporting Mazama Pocket Gopher Screen Results report dated January, 2020.

Critical Fish and Wildlife Habitat Areas. The site contains soils preferred by the Mazama pocket gopher. See the attachment #2 for more information.

Critical Aquifer Recharge Areas (CARA) And Wellhead Protection Zones. The majority of the property subject to this request is located within a CARA. See the analysis of TMC 112.20.070, Critical Aquifer Recharge Areas for more information.

Based on the information submitted by the applicant, the city concluded that a Determination of Nonsignificance was warranted.

NOTIFICATION AND PUBLIC COMMENT

The applicant submitted a Land Use Application to the City of Tenino on September 8, 2022 and the application was determined complete on September 12, 2022. A notice of application, SEPA determination, and notice of public hearing was published in the Tenino Independent on September 14, 2022. This notice and a copy of the preliminary plat was also mailed to all property owners within 300 feet of the subject property on September 13th. The public and SEPA comment periods close on September 29th. No comments have been received.

AGENCY REVIEW

The application was sent to the following City departments and outside agencies for review:

- South Thurston Fire & EMS
- Thurston County Auditor, Assessor, and Environmental Health
- Tenino School District
- City of Tenino Public Works, Building, and City Engineer

Comments were received from the City Engineer requesting minor modifications to dimensions on the plat.

FINDINGS FOR APPROVAL OF A QUASI-JUDICIAL DECISION

The Planning Commission is authorized to make a recommendation to the City Council on a request for preliminary subdivision approval. This decision is quasi-judicial in nature.

The city may approve an application for a quasi-judicial project action related proposal only if:

1) *The criteria in subsection 3.a of this section are met;*

Complies. Subsection 3.a requires that a project be in the best interest of the city's residents and that it be consistent with the Comprehensive Plan, public health, safety, and welfare. As conditioned, the proposed subdivision is in the best interest of Tenino's residents. As conditioned, the proposal ensures that the health, safety, and welfare of the public is met. The proposal also provides the basis for future development of a significant increase in economic activity within the City.

2) *The proposed project complies with this chapter in all respects;*

The standard is met. As conditioned and outlined in this staff report, the proposed subdivision complies with all relevant regulations found in the Tenino Municipal Code.

3) *The site plan of the proposed project is designed to minimize all adverse impacts on the developed properties in the immediate vicinity of the subject property; and*

The standard is met. The proposed 5-lot subdivision borders property owned by Miles Sand and Gravel Company to the west and south. To the east sit large-lot single family lots approximately 900' away from the eastern boundary of Lot 5. To the north lies Old Highway 99 SE and large rural tracts of land. Due to no changes occurring on Lot 1 housing the existing sewage treatment plant and the distance of Lot 5 from the nearest single family uses, no adverse impacts on developed properties in the immediate vicinity is anticipated.

4) *The site plan is designed to minimize impacts upon the public services and utilities.*

The standard is met. As conditioned, the proposed 5-lot subdivision is designed to minimize impacts on public services and utilities. Utility services (including water, sewer, and wired utilities) will be extended to all lots in the subdivision through nearby available mains. The development is directly off a major transportation route with easy access to public emergency services.

FINDINGS FOR APPROVAL OF A PRELIMINARY PLAT

Planning commission written findings. *A recommendation of preliminary approval shall be granted by the planning commission, for consideration by the city council, when written findings show that a proposed, plat, replat, alteration or amendment and dedication make appropriate provisions for:*

1. *The public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that ensure safe walking conditions for students who walk to and from school; and*

The standard is met. As conditioned, the public health, safety, and general welfare of the community is addressed with this request.

2. *The public use and interest will be served by the platting of such plat and dedication;*

The standard is met. The public interest will be served by platting the 5-lot subdivision and construction of the subdivision's interior street.

ATTACHMENTS

Attachment 1 – Preliminary Subdivision Map

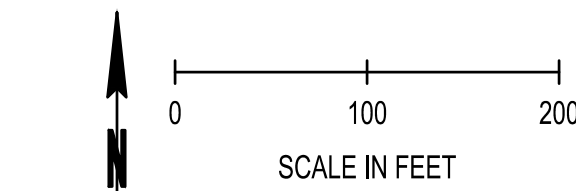
Attachment 2 – SEPA Checklist, DNS, and Mazama Pocket Gopher Screening Results from 2020

Attachment 3 – Agency Comments

Attachment 4 – Notice and Public Comment

Attachment 5 – Application Materials

TENINO AGRICULTURAL PARK
SEC. 25, T16N., R2W., W.M.
TENINO, WA



PARCEL #12625002200
JOHNSON, DUSTY
UNKNOWN

PARCEL #12625110600
JOHNSON, DUSTY
16343 OLD HWY 99 SE

PARCEL #12625110500
ROGERS, SHANE E
16346 OLD HWY 99 SE

PARCEL #12625130000
SUKO, NEHEMIAH A &
KRISTINA
16348 OLD HWY 99 SE

PARCEL #12625140000
SUKO, NEHEMIAH A & KRISTINA
16400 OLD HWY 99 SE

PARCEL #12625130200
DODGE, JANICE
16629 MIMA ACRES DR SE

PARCEL #12625240304
MILES SAND & GRAVEL CO
16424 OLD HWY 99 SE

PARCEL #12625130103
CITY OF TENINO
16402 OLD HWY 99 SE

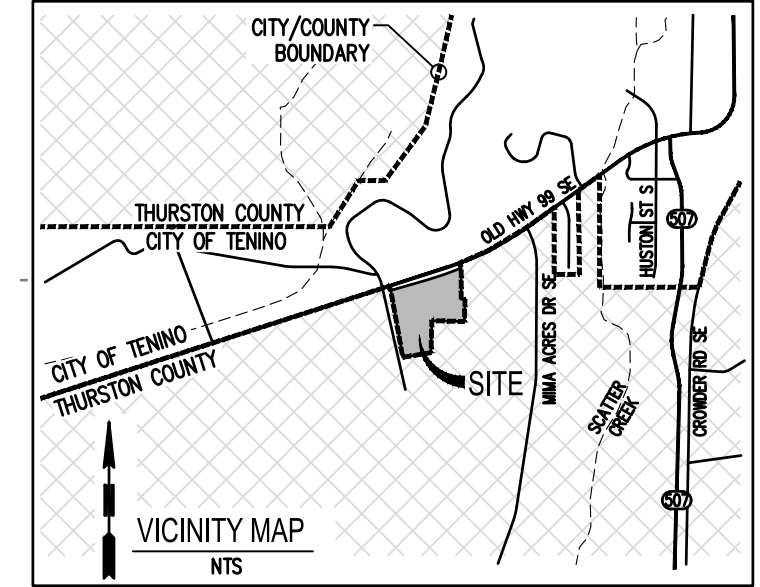
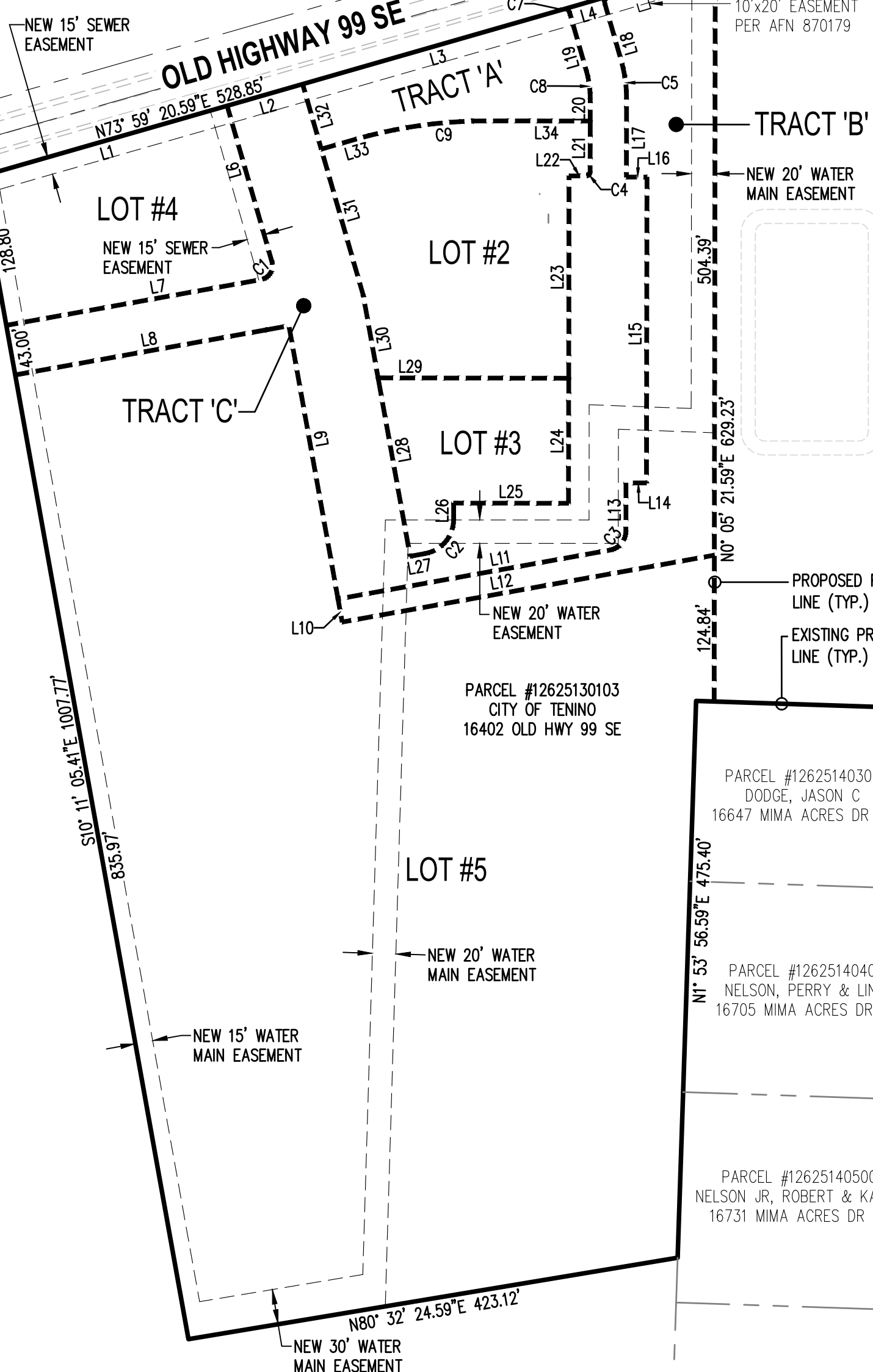
PARCEL #12625140300
DODGE, JASON C
16647 MIMA ACRES DR SE

PARCEL #12625140400
NELSON, PERRY & LINDI
16705 MIMA ACRES DR SE

PARCEL #12625140500
NELSON JR, ROBERT & KAREN
16731 MIMA ACRES DR SE

PARCEL #12625140600
BLUME, KENNET & MARIA CORA
16745 MIMA ACRES DR SE

PARCEL #12625410700
POWELL, ROBERT L
16807 MIMA ACRES DR SE



SITE INFORMATION

PARCEL NUMBER: 12625130103
SITE ADDRESS: 16402 OLD HIGHWAY 99 SE
TENINO, WA 98589
SITE AREA: 874,107 SF/20.07 ACRES
ZONING: P/SP (PUBLIC/SEMI-PUBLIC)
SETBACKS:
-FRONT: 0'
-SIDE: 0'
-REAR: 0'
MAXIMUM IMPERVIOUS SURFACE: 100%
MAXIMUM BUILDING COVERAGE: N/A
OWNER: CITY OF TENINO

ORIGINAL LOT AREA

PARCEL #12625130103 874,107 SF

NEW LOT AND TRACT AREAS

LOT #1 - TREATMENT PLANT	311,881 SF/7.16 AC
LOT #2 - FUTURE COMMERCIAL BUILDING	40,834 SF/0.94 AC
LOT #3 - FUTURE COMMERCIAL BUILDING	17,947 SF/0.41 AC
LOT #4 - FUTURE COMMERCIAL BUILDING	31,716 SF/0.73 AC
LOT #5 - FUTURE DEVELOPMENT	345,329 SF/7.93 AC
TRACT 'A' - STORM DRAINAGE	16,779 SF/0.39 AC
TRACT 'B' - STORM DRAINAGE	38,917 SF/0.89 AC
TRACT 'C' - SHARED ACCESS/PARKING/ UTILITY EASEMENT	70,705 SF/1.62 AC

LEGAL DESCRIPTION

LOT B OF BOUNDARY LINE ADJUSTMENT NO. BLA-06-114384TC, AS RECORDED JUNE 26, 2007 UNDER AUDITOR'S FILE NO. 3937839.

RESTRICTIONS

THE COST OF CONSTRUCTION AND MAINTAINING ALL STREETS NOT HEREIN DEDICATED AS PUBLIC STREETS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS, AND THE OBLIGATION TO MAINTAIN SHALL BE CONCURRENTLY THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE STREETS MAY BE HELD.

ALL LANDSCAPED AREAS IN PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY THE OWNER AND THE OWNER'S SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR OR DETRIMENTAL TO CITY STREET PURPOSES.

COMMUNITY TRACTS 'A', 'B', 'C', AND 'D' SHALL BE OWNED AND MAINTAINED IN COMMON FOR THE BENEFIT OF ALL LOT OWNERS. ALL LOTS HAVE AN UNDIVIDED INTEREST IN THE OWNERSHIP AND MAINTENANCE OF COMMUNITY AREAS. THE OWNERSHIP INTEREST IN EACH COMMUNITY TRACT SHALL BE STATED IN THE DEED TO EACH LOT.

PURSUANT TO CITY ORDINANCE, THE CITY OF TENINO MAY DENY THE ISSUANCE OF BUILDING OR OCCUPANCY PERMITS FOR ANY STRUCTURE WITHIN THIS PLAT UNTIL STREET, SIDEWALK, OR OTHER REQUIRED PLAT IMPROVEMENTS HAVE BEEN INSTALLED, OR ANY ADDITIONAL CONDITIONS AS APPROVED BY THE CITY OF TENINO.

DATUM

HORIZONTAL - WASHINGTON STATE PLANE, SOUTH ZONE, NAD 83/91, GROUND SCALE; BASED ON GPS RTK TIES TO THURSTON COUNTY(TC) MONUMENTS 289, 289az, AND 142. ALL DATA WAS CONVERTED TO GROUND SCALE ABOUT TC MONUMENT 289 USING A COMBINED SCALE FACTOR 0.999914546.

VERTICAL - NAVD 88 BASED ON GPS TIES TO TC MONUMENT 289 ELEVATION=285.84.

UTILITY NOTE

UTILITIES SHOWN HEREON ARE FROM FIELD MAPPING VISIBLE SURFACE APPURTENANCES, AND MAPPING UTILITY PAINT MARKS FROM A UTILITY LOCATING SERVICE. BURIED UTILITIES ARE ONLY SHOWN AS APPROXIMATE AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	20.07	12.00	95°49'34"
C2	41.05	29.50	79°43'33"
C3	22.96	16.50	79°43'33"
C4	5.50	3.50	90°00'00"
C5	32.46	115.50	16°06'01"
C6	5.87	19.50	17°15'00"
C7	6.00	19.50	17°37'08"
C8	23.74	84.50	16°06'01"
C9	112.40	400.00	16°06'01"

LINE TABLE		
LINE #	LENGTH	DIRECTION
L13	41.08	N0° 05' 21.59"E
L14	17.50	S89° 54' 38.41"E
L15	261.00	N0° 05' 21.59"E
L16	17.50	N89° 54' 38.41"W
L17	67.02	N0° 05' 21.59"E
L18	50.33	N16° 00' 39.41"W
L19	50.15	N16° 00' 39.41"W
L20	19.27	N0° 05' 21.59"E
L21	43.35	N0° 05' 21.59"E
L22	14.50	S89° 54' 38.41"E
L23	172.59	N0° 05' 21.59"E
L24	106.72	N0° 05' 21.59"E
L25	98.00	S89° 54' 38.41"E
L26	14.05	N0° 05' 21.59"E
L27	11.53	N79° 48' 54.59"E
L28	154.54	S10° 11' 05.41"E
L29	162.63	S89° 54' 38.41"E
L30	71.45	S10° 11' 05.41"E
L31	129.97	S16° 00' 39.41"E
L32	57.70	S16° 00' 39.41"E
L33	30.95	S73° 59' 20.59"W
L34	88.75	N89° 54' 38.41"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	219.72	S73° 59' 20.59"W
L2	67.00	N73° 59' 20.59"E
L3	234.89	N73° 59' 20.59"E
L4	32.79	N73° 53' 23.99"E
L5	99.00	N73° 14' 32.91"E
L6	138.60	N16° 00' 39.41"W
L7	220.72	N79° 48' 54.59"E
L8	217.29	N79° 48' 54.59"E
L9	236.79	S10° 11' 05.41"E
L10	20.00	S10° 11' 05.41"E
L11	235.75	N79° 48' 54.59"E
L12	322.63	N79° 48' 54.59"E

ACKNOWLEDGMENTS AND CERTIFICATES NOTE

ALL REQUIRED ACKNOWLEDGMENTS AND CERTIFICATES SHALL BE SHOWN ON THE FINAL PLAT MAP.

PARCEL #12625130102
MILES SAND & GRAVEL CO
16424 OLD HWY 99 SE

DATE	
REVISIONS	
JOB NO:	22-000468
DRAWN BY:	P. SWAN
APPROVED BY:	R. CONNOLLY
DATE:	SEPT. 2022

SCJ ALLIANCE
CONSULTING SERVICES

8730 TALLON LANE NE, SUITE 200, LACEY, WA 98516
P: 360.352.1465 F: 360.352.1509
SCJALLIANCE.COM

PRELIMINARY PLAT

TENINO AGRICULTURAL PARK

16402 OLD HWY 99 SE TENINO, WA

9/13/2022

DRAWING NO:
PP-1

1 OF 1

Sep 13, 2022 10:41:07am - User: pete.swan
N:\PROJECTS\450 THURSTON EDC\22-000468 TENINO AGRICULTURAL PARK\CADD\22-000468 PRELIM SHORT PLAT.DWG

Attachment 2

PUBLIC NOTICE

Notice of Application, SEPA DNS, and Special Planning Commission Public Hearing Tenino Agricultural Park Preliminary Plat

September 14, 2022

Proponent: City of Tenino, WA

Project #: PSD2022-0001

Location: Parcel #12625130103, 16402 Old Highway 99 SE, Tenino, WA 98589

Lead agency: City of Tenino, WA

Determination of Completeness: September 12, 2022

Description of proposal: Preliminary plat to subdivide a city-owned 20.07-acre parcel zoned Public/Semi-Public into five lots, 1 housing the existing wastewater treatment plant and 4 for future development. Also included are tracts for storm drainage and shared access/parking. The site is envisioned to ultimately house the Tenino Agricultural Park, and this proposal is related to a master plan that was developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over several years.

Determination of Non-Significance (DNS): The City of Tenino Planning Department determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2). This decision was made after review of a completed environmental checklist, a Mazama Pocket Gopher Screening Report completed in January 2020, and other information on file with the lead agency. This information is available to the public on request at: 149 Hodgden St S, Tenino, WA 98589.

Notice of Special Planning Commission Public Hearing:

Date: Wednesday, October 5, 2022

Time: 6:00 pm

Location: Tenino City Hall, 149 Hodgden St S, Tenino, WA 98589

Purpose: For the Planning Commission to review the proposed preliminary plat application for conformance of TMC Title 114 requirements and make a recommendation of approval or denial to the City Council, who will make the final decision for this application. All interested persons may appear and provide testimony. The copy of the staff report will be available for inspection at no cost at least five calendar days prior to the hearing.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from September 14, 2022. Comments must be submitted by September 29, 2022, to the City of Tenino Agency Contact below.

AGENCY CONTACT: Jen Scharber
149 Hodgden St S / PO Box 4019, Tenino, WA 98589
jscharber@cityoftenino.org
360-264-2368

RESPONSIBLE OFFICIAL: Ryan Shea, City Planner
149 Hodgden St S, Tenino, WA 98589

Attachment 2

ryanpatrick.shea@scjalliance.com
360-352-1465, ext. 360

Signature: Ryan Shea, September 14, 2022

A handwritten signature in black ink, appearing to read "Ryan Shea". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke at the end.

You may appeal this determination pursuant to TMC 110.70.030, an appeal of SEPA threshold determinations or SEPA actions shall be combined with any appeals of associated applications or permits. Appeals must be filed within 14 days of the decision and must be appealed to Tenino City Council.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B – Environmental Elements – that do not contribute meaningfully to the analysis of the proposal.

Attachment 2

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: Tenino Agricultural Park – Preliminary Plat

2. Name of applicant: City of Tenino

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

Applicant: City of Tenino
149 Hodgden Street S
Tenino, WA 98589
(360) 264-2368

Contact: SCJ Alliance / Bob Connolly, PE
8730 Tallon Lane NE, Suite 104
Lacey, WA 98516
(360) 352-1465

4. Date checklist prepared: August 31, 2022

5. Agency requesting checklist: City of Tenino

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

Following submittal of this preliminary plat application:

- Building permit application for proposed Lot #2 anticipated to be submitted in September 2022
- Construction on proposed Lot #2 anticipated to begin in September-October 2022, to be completed by April 2023

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

Yes, the applicant has plans for further activity related to this proposal. The site is envisioned to ultimately house the Tenino Agricultural Park, and this proposal is related to a master plan that was developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over a number of years.

In the near term, a site plan is anticipated to be submitted for the proposed Lot #2 in September-October 2022, including proposed Buildings A and B along with associated parking and site access on Tract D. In the medium- to longer-term, additional commercial development is anticipated on Lots #3, #4, and #5.

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

A Mazama Pocket Gopher Screening Report was prepared in January 2020 for this project site.

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.

No other applications are currently pending on the subject property.

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

City of Tenino preliminary plat application approval, SEPA checklist determination

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.

This proposal is for a preliminary plat of the project site (Thurston County parcel #12625130103; 20.07 acres/ 874,107 sq. ft.) into the following new lot and tract areas (see attached preliminary plat drawing for details):

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• Lot #1 – Wastewater treatment plant (existing)	311,881 sq. ft. (7.16 ac)
• Lot #2 – Commercial building	32,709 sq. ft. (0.75 ac)
• Lot #3 – Future commercial building	26,090 sq. ft. (0.60 ac)
• Lot #4 – Future commercial building	31,716 sq. ft. (0.73 ac)
• Lot #5 – Future development	340,592 sq. ft. (7.82 ac)
• Tract ‘A’ – Storm drainage	16,769 sq. ft. (0.38 ac)
• Tract ‘B’ – Storm drainage	38,917 sq. ft. (0.89 ac)
• Tract ‘C’ – Storm drainage	4,737 sq. ft. (0.11 ac)
• Tract ‘D’ – Shared access/parking areas	70,698 sq. ft. (1.62 ac)

The proposed preliminary plat is intended to facilitate the future phased development of the Tenino Agricultural Park. The proposal also includes partial clearing and grading of the project site to prepare for anticipated future construction.

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 proposed project is located in west Tenino, at 16402 Old Highway 99 SE (Thurston County parcel # 12625130103), Section 25, Township 16, Range 2W, Quarter SW NE. The project site is bounded to the north by Old Highway 99 and to the west by the driveway to Miles Sand and Gravel (a business located just southwest of the project site).

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

- a. General description of the site:

The site comprises approximately 20 acres (874,107 square feet) in west Tenino, with about seven acres in the northeast corner of the site currently being managed as the City’s wastewater treatment plant. The remainder of the site (approximately 13 acres) is currently undeveloped. The site is located on relatively flat to rolling topography, with mima mounds scattered across the entire site. The high point is located near the center of the site, with less than a three percent overall slope across the site.

(circle one): Flat rolling hilly, steep slopes, mountainous, other _____

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

The slope across the entire site is no greater than 3%.

- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

USDA's Web Soil Survey (WSS) database indicates the general map unit present on the project site is Spanaway-Nisqually complex (114). These soils are described in the soil survey as being “very deep, somewhat excessively drained soils that formed in glacial outwash on terraces and plaining with slopes ranging from 0 to 15 percent.” The Nisqually soil series typically has very little gravel content, while the Spanaway

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tends to be gravelly at the surface grading to very gravelly, then extremely gravelly with depth. No agricultural soils are found on site.

- 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 unstable soils in the immediate vicinity.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Approximately 15,000 CY of cut and 250 CY of fill are anticipated, as shown on the grading plan. On-site fill will be reused; no import fill material is anticipated. The excess cut material (net 14,750 CY) will be stored on-site at the southwest corner of proposed Lot #4.

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

Erosion may occur during site clearing and grading. To address this possibility, erosion and sediment control measures will be employed and maintained throughout the project as site conditions warrant (see erosion control details in grading plan). Future development on the project site will be required to comply with all applicable regulations at the time of permit application; at that time, erosion and sediment control measures will be employed as site conditions warrant.

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

The proposed preliminary plat will not add any impervious surfaces to the project site. Future development on the proposed lots will be required to comply with all applicable regulations at the time of permit application, including those related to impervious site coverage.

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

A SWPPP and TESC plan will be prepared and implemented prior to commencement of clearing and grading activities to reduce the project's risk of erosion and other impacts to the earth. At completion of the project, permanent measures will include stormwater runoff detention and water quality facilities as required. Future development on the project site will be required to comply with critical areas regulations pursuant to Tenino's municipal code and obtain all applicable permits in effect at the time of permit application.

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Emissions consistent with clearing and grading activities such as from trucks, heavy equipment, dust, etc. are expected during site grading. Once complete, no emissions will be produced by the cleared and graded site. A site plan for development of the proposed Lot #2 is anticipated to be submitted separately from this preliminary plat application; in the longer term, additional commercial development is anticipated on Lots #3, #4, and #5. Any future development on the proposed lots will be required to comply with all applicable regulations at the time of permit application, including those related to air emissions.

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

There are no known off-site sources of emissions or odors that would affect this proposal.

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

Proposed measures anticipated during construction are the use of dust control to prevent fugitive dust and avoiding unnecessary idling of construction equipment for extended periods of time. No other specific measures are proposed. Future development on the project site will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

3. **Water** [\[help\]](#)

a. Surface Water: [\[help\]](#)

- 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.

No surface water bodies are located on or in the immediate vicinity of the site. The nearest surface water body is Scatter Creek (which ultimately flows into the Chehalis River), located approximately 0.4 miles east of the site.

- 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.

No, the project will not require any work over, in, or adjacent to any surface waters.

- 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.

No fill material would be placed in or removed from surface water or wetlands.

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

No, this proposal will not require surface water withdrawals or diversions.

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

According to FEMA's Flood Map Service Center (MSC), the project site is not located within a 100-year floodplain.

- 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.

No, this proposal would not involve any discharges of waste materials to surface waters.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No groundwater will be withdrawn, and no water will be discharged to groundwater.

- 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

Attachment 2

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.

There will not be any waste material discharged into the ground from septic tanks or other sources.

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.

The proposed preliminary plat will not generate any new impervious surfaces or runoff. Erosion control BMPs will be in place for the duration of the clearing and grading process. A site plan for development of the proposed Lot #2 is anticipated to be submitted separately from this preliminary plat application, and in the longer term, additional commercial development is anticipated on Lots #3, #4, and #5. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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

It is not anticipated that waste materials will enter ground or surface waters.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Any stormwater produced by the project will be treated onsite. At a minimum, the site will meet the pre-project runoff rates and should not adversely affect drainage patterns in the vicinity. Future development on the project site will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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

A SWPPP and TESC will be prepared to reduce the project's risk of erosion and other impacts to the earth. BMPs and engineered controls will comply with local standards and will be monitored by CESCL. Per Tenino's municipal code, surface water runoff control and water quality treatment compliant with the standards in Ecology's Stormwater Management Manual for Western Washington (SWMMWW) will be required.

4. Plants [\[help\]](#)

a. Check the 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
 orchards, vineyards or other permanent crops
 wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

The project site consists of mostly native and non-native prairie species (mostly grasses and shrubs; approximately 50% of the site is covered with invasive Scot's broom), with a few scattered evergreen and deciduous trees.

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

Mostly grasses and shrubs will be removed during clearing; invasive Scot's broom, which covers approximately half of the site, makes up the largest portion of existing vegetation.

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

A grove of Oregon white oak (*Quercus garryana*) was identified on the project site. White top aster (*Seriocarpus rigidus*), listed as a "sensitive" species in the state of Washington, has also been documented on site.

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

Landscape plans will be provided for seeding and plantings during the construction phase and will comply with the City's landscaping BMPs.

- e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds known to be on the site, but Thurston County Geodata does note a 2017 occurrence of meadow knapweed in the site vicinity – to the north of the site, across Old Highway 99.

5. **Animals** [\[help\]](#)

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

Examples include:

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

A variety of birds and small mammals are known to be in the vicinity of the site. No impacts to wildlife are anticipated as a result of this preliminary plat.

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

According to the Washington Department of Fish and Wildlife Priority Habitats and Species (PHS) database, there are known occurrences of Mardon skipper (*Polites mardon*, state endangered species list) and Taylor's checkerspot (*Euphydryas Editha taylori*, federal and state endangered species lists) in the vicinity of the project site, though none are known to be on the project site specifically. The PHS database also indicates Mazama pocket gopher (*Thomomys mazama*) habitat was identified on site in May of 2007; however, a screening carried out by USFWS trained and certified gopher consultants in 2019 found no gopher mounds or any other indications of currently occupied gopher habitat onsite.

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

Because Washington is within the Pacific Flyway route, migration routes may exist near the site. However, this proposal is not anticipated to impact any migration routes.

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

No impacts to wildlife are anticipated as a result of this preliminary plat; therefore, no specific measures to preserve or enhance wildlife are proposed. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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- e. List any invasive animal species known to be on or near the site.

There are no invasive animal species known to be on or near the site.

6. **Energy and Natural Resources** [\[help\]](#)

- 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 energy use will be required as a direct result of the preliminary plat, but any future development plans would likely cause a subsequent increase in energy needs on site. Specific energy needs that may occur as a result of this proposal will be reviewed at the time of future development.

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

If so, generally describe.

No, this project would not affect the potential use of solar energy by adjacent properties.

- 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:

No energy impacts are anticipated as a result of this proposal; therefore, no specific measures to reduce energy consumption are proposed. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

7. **Environmental Health** [\[help\]](#)

- 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 are no known environmental health hazards that could occur as a result of this proposal.

- 1) Describe any known or possible contamination at the site from present or past uses.

Ecology's "What's in My Neighborhood?" mapping tool shows no potentially contaminated sites in the project vicinity.

- 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 anticipated; however, if any chemicals are used onsite, they will be stored in accordance with Occupational and Health Administration (OSHA) requirements.

- 4) Describe special emergency services that might be required.

During grading, and later during the construction phase, general emergency response may be required in case of construction accidents. Otherwise, there are no special or new emergency services that would be required as a result of this proposal.

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5) Proposed measures to reduce or control environmental health hazards, if any:

Proper orange fencing will be used to identify construction area hazards and keep injury of bystanders or construction personnel to a minimum. The SWPPP will outline the proper BMPs to control access and pollution or sediment loss from the project to unintended receptors such as surrounding stormwater vaults.

b. Noise

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

Sources of ambient noise at the site are related primarily to automobile traffic. These noise sources will not change as a result of this preliminary short plat and are not expected to affect this proposal.

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.

This proposal will generate varying construction noises typical of a clearing and grading project. Construction noise would occur only during the hours permitted by Tenino's code, and routing of construction traffic and timing will be reviewed to minimize noise impacts to adjacent properties. Long-term noise associated with the preliminary plat is anticipated to be comparable to what currently exists in the site vicinity; any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application, and specific noise impacts that may occur as a result of this proposal will be reviewed at that time.

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

To minimize short-term noise impacts, clearing and grading will take place only during the hours allowed by the City of Tenino's code of ordinances, and will not exceed allowable noise limits. The noise produced from the completed preliminary plat and grading project is expected to be comparable to what is currently produced, so no additional measures are proposed at this time. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations and approved city work hours in effect at the time of permit application.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

A portion of the site (approximately 7 acres in the northeast corner of the site) is currently used for operation of a City of Tenino wastewater treatment plant. The remainder of the site (approximately 13 acres) is undeveloped. Adjacent land uses include low-density single family residential properties to the east, an alpaca farm across Old Highway 99 to the north, and industrial uses including the Miles Sand and Gravel operations to the west. The proposal will not affect any current land uses on nearby or adjacent properties.

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?

No, the site has not been used as working farmlands or forest lands. No agricultural or forest land of long-term significance will be affected by this proposal.

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- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversized equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No, the proposal will not affect or be affected by any working farm or forest land operations.

- c. Describe any structures on the site.

The only structures on the site are those associated with the existing City of Tenino wastewater treatment plant – two buildings (approximately 1,500 and 7,000 square feet) and two storage tanks (approximately 22,000 and 34,000 square feet). These structures are all located in the northeast corner of the site and will not be affected by this preliminary plat.

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

No structures will be demolished.

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

The site is currently zoned P/SP (public/semi-public).

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

The current comprehensive plan designation is Public/Semi-Public.

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

There are no shoreline master program designations on the project site.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Thurston County has determined the site has significant native outwash prairie and mima mound habitat, both of which are considered critical areas by the county.

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

N/A; no one would reside or work in the completed project, as this proposal is for a preliminary plat (including clearing and grading) of the subject parcel.

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

No one would be displaced as a result of the proposal.

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

N/A; no displacement impacts are anticipated.

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

This proposal is compliant with City of Tenino comprehensive plan and zoning regulations.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

N/A; there are no nearby agricultural and forest lands of long-term commercial significance.

9. Housing [\[help\]](#)

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

No housing units would be provided.

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

No housing units would be eliminated.

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

N/A; no housing impacts are anticipated.

10. Aesthetics [\[help\]](#)

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

N/A; there are no structures proposed, as this proposal is for a preliminary plat (including clearing and grading) of the subject parcel. A site plan for development of the proposed Lot #2 is anticipated to be submitted separately from this preliminary plat application, and in the longer term, additional commercial development is anticipated on Lots #3, #4, and #5. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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

No views would be altered or obstructed as a result of this proposal.

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

No aesthetic impacts are anticipated as a result of this preliminary plat; therefore, no mitigation measures are proposed at this time. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

11. Light and Glare [\[help\]](#)

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

The proposal will not produce any light or glare.

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

No, there will be not be a safety hazard from light or glare when the project is complete, nor will it interfere with any views.

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

There are no off-site sources of light or glare that will affect this proposal.

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

N/A; no impacts are anticipated.

12. Recreation [\[help\]](#)

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

The site is located on the Thurston Bountiful Byway, which partially runs along Old Highway 99. The Byway is a 60-mile recreational route that links to a number of recreational sites including family farms, artistic attractions, craft breweries and wineries around Thurston County.

Additionally, the western terminus of the Yelm-Tenino Trail is located approximately $\frac{3}{4}$ mile to the east, and Tenino City Park is located approximately one mile to the east of the site in downtown Tenino.

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

No, this proposal would not displace any existing recreational uses.

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

N/A; there will be no impacts to recreation as a result of this proposal.

13. Historic and Cultural Preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

According to DAHP's Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database, there are no register-listed or register-eligible properties on or near the site.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

According to WISAARD, there are no known cultural landmarks or artifacts within the project area.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

WISAARD was consulted to assess potential impacts.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

During clearing and grading, if archaeological resources are unearthed, DAHP will be contacted immediately, and work will stop until an assessment can be made.

14. Transportation [\[help\]](#)

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

The site is bordered to the north by Old Highway 99. There is an existing site access to Old Highway 99 for the wastewater treatment plant site. The wastewater treatment plant site is fenced off from the rest of the site, so this driveway does not access the undeveloped portion of the site (proposed Lots #2 through #5).

Attachment 2

There are two proposed site accesses for future development and site circulation, both located off Old Highway 99. The first is located approximately 350 feet west of the existing wastewater treatment plant driveway. The second is located approximately 300 feet east of the existing Miles Sand and Gravel driveway (and approximately 250 feet west of the first proposed access). See preliminary plat for additional detail.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is not currently served by public transit. The nearest transit stops are in Tumwater's town center area, located approximately 11 miles to the north and served by Intercity Transit.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The proposed preliminary plat would not directly create or eliminate any parking spaces. Any future development on the proposed lots would likely involve the addition of parking spaces; specific impacts that may occur as a result of this proposal will be reviewed at that time. Future development will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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

The proposal will not require any new roads or streets or improvements to existing facilities. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

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

The project will not use water, rail, or air transportation.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

N/A; no vehicular trips would be generated, as this proposal is for a preliminary plat (including clearing and grading) of the subject parcel only. A site plan for development of the proposed Lot #2 is anticipated to be submitted separately from this preliminary plat application, and in the longer term, additional commercial development is anticipated on Lots #3, #4, and #5. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application; specific transportation impacts that may occur as a result of this proposal would be reviewed at that time.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No; there are no agricultural or forest product transportation routes in the vicinity of the site.

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

No transportation impacts are anticipated as a result of this proposal; therefore, no specific mitigation measures are proposed at this time. Any future development on the proposed lots will be required to obtain all relevant permits and be subject to development regulations in effect at the time of permit application.

15. Public Services [\[help\]](#)

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

No, the proposal would not result in an increased need for public services.

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

N/A; there are no anticipated impacts.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____


City of Tenino water and sewer are available to the site. Main lines for these utilities are built out to the northeast corner of the site along Old Highway 99. Electricity and natural gas are also available to the site and are provided by Puget Sound Energy. Telecommunications services are available from a number of service providers, including Comcast, HughesNet, and Tenino Telephone Company.

- 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.

No additional utilities are currently proposed.

C. Signature [\[HELP\]](#)

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:  _____

Name of Signee: Laura Barker _____

Position and Agency/Organization: Planner, SCJ Alliance _____

Date Submitted: August 31, 2022 _____

D. Supplemental Sheet for Nonproject Actions [\[HELP\]](#)

(IT IS NOT NECESSARY to 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?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

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?

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?

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?

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?

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.

Mazama Pocket Gopher Screening Results

Tenino Business Innovation Center
16402 Old Highway 99 SE, Tenino, WA 98589



January 2020



Tenino Ag. Park Pocket Gopher Assessment

Project Information

Project: **Mazama Pocket Gopher Site assessment**
Prepared for: **City of Tenino Planning Department**

Reviewing Agency

Jurisdiction: City of Tenino
USFWS/ WDFW

Project Representative

Prepared by: **SCJ Alliance**
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Lacey, WA 98516
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scjalliance.com

Contact: Lisa Palazzi, CPSS. PWS

Project Reference: **SCJ #1450.11**
Path: N:\Projects\1450 Thurston EDC\1450.11 Thurston EDC - Tenino Business Innovation Center\Phase 3 Tech and Enviro Analysis\Tenino BIC MPG Study



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1. INTRODUCTION

This field reconnaissance report for assessing potential occupancy of Mazama pocket gopher (MPG) has been prepared for the City of Tenino Business Innovation Center located at 16402 Old Highway 99 SE, Tenino, WA 98589, WA (Figure 1). The Thurston County parcel number is 12625130103, and the parcel is zoned P/SP (Public/Semi-Public). According to City Code, Chapter 106.50.010, this zoning “provides for moderate and large-scale activities relating to the purposes of state and local governmental entities and semi-public institutions by providing necessary public services. The designation allows for the specialized needs of providing public services to all areas of Tenino.”

The MPG is federally listed as threatened under the Endangered Species Act (ESA, 2014), and regulated by the U.S. Fish and Wildlife (USFWS). The species is also listed as endangered by Washington State Dept. of Fish and Wildlife (WDFW). Three subspecies of Mazama pocket gopher (MPG) occur in Thurston County, and are protected under both federal and state law. The protected subspecies that occurs near Tenino is the Tenino pocket gopher (*Thomomys mazama tumuli*). The MPG is documented as occurring onsite in a 2007 WDFW database record.

The Study Site was recently evaluated for presence of the listed pocket gopher species following protocols developed by USFWS. Site visits were carried out in 2018 (1 site visit) and 2019 (3 site visits) to assess the site for evidence of MPG presence. The surveys were carried out by USFWS trained and certified gopher consultants and additional personnel.

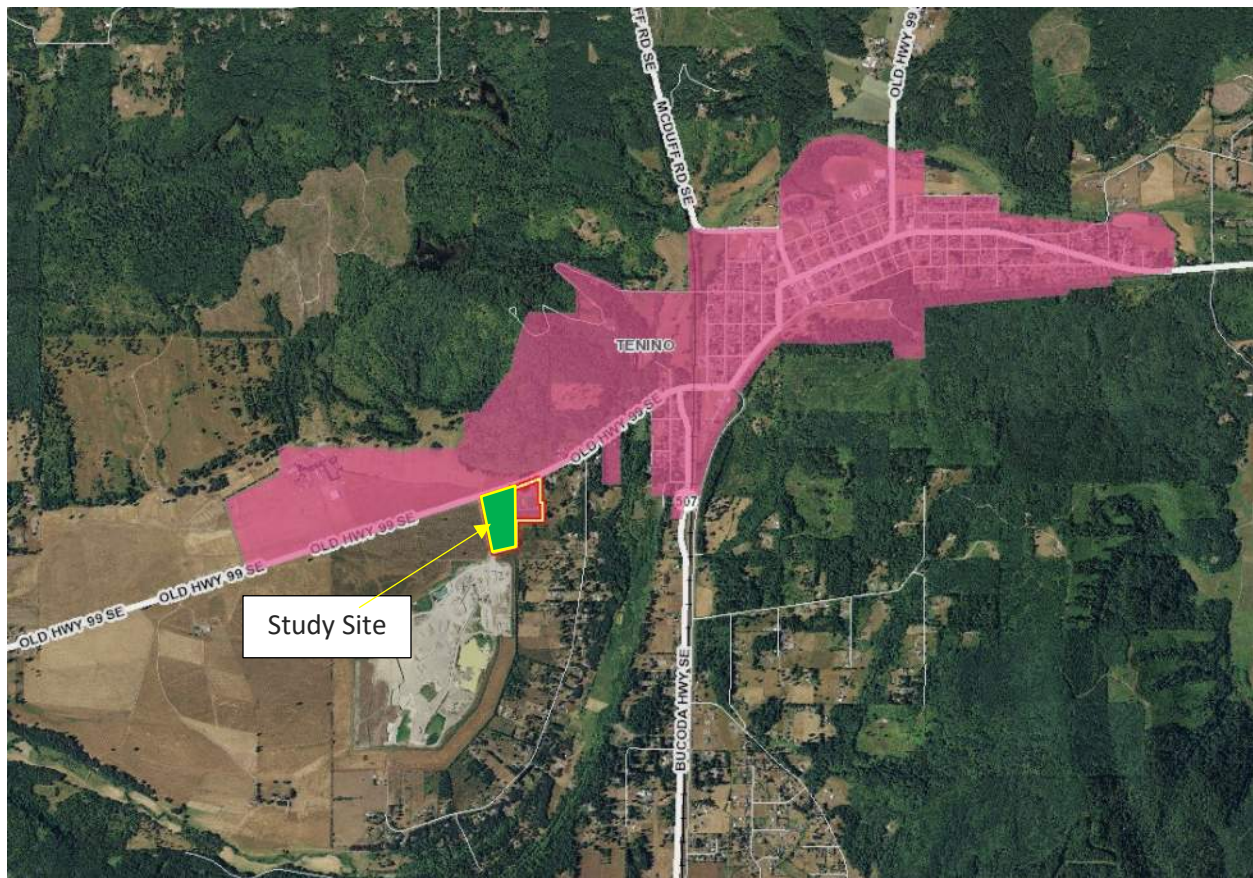


Figure 1. Project Site Location

1.1 SITE DESCRIPTION

The Study Site is owned by the City of Tenino and is approximately 20-acres, with about 7-acres in the northeast corner being currently managed as the City’s Waste-Water Treatment Plant (WWTP). The portion of the parcel reviewed for this report (Study Site) is located west of the WWTP and is approximately 13-acres (Figure 2). The Study Site is currently undeveloped with rolling to flat terrain and with slopes less than 5% (Figure 3). The site is all upland; no wetlands or streams occur within the Study Area.



Figure 3. Study Area

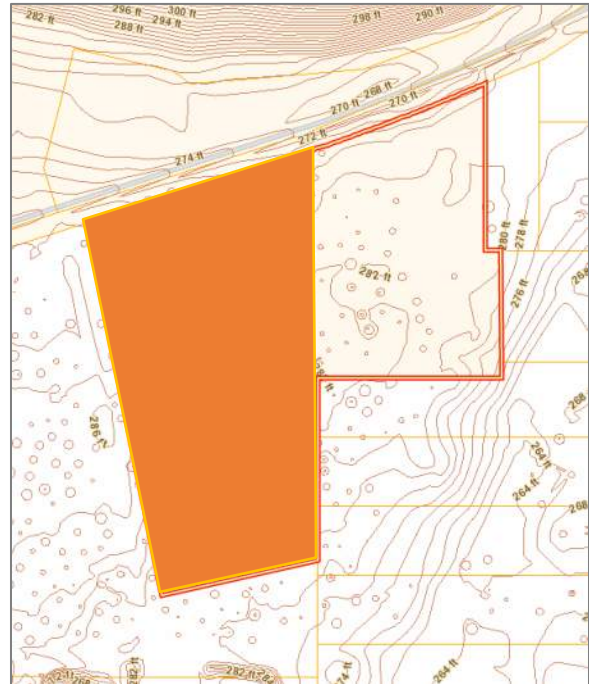


Figure 2. Topography

2. METHODS AND MATERIALS

2.1 FEDERAL AND STATE REGULATIONS

To minimize the likelihood of a take (“to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conflict” Defined in 16 United States Code (USC) § 1532 (19) “Definitions”) of a protected species, the US Fish and Wildlife Service (USFWS) developed survey guidelines and a field protocol to be used when evaluating property for development that may contain occupied MPG habitat (protocol described below in Section 2.3). USFWS guidelines for field assessment of MPG presence requires that the field scientist be trained to distinguish between mole and MPG mounds. Mole mounds tend to be circular and mounded high with a central hole; MGP mounds are typically somewhat flat with a half-moon shape and an entry plug to the side.

USFWS protocols are designed to maximize the opportunity to find potential pocket gophers, and thus to minimize the risk of any project being in violation of the federal ESA. It is important to note that even if the protocol does not find clear evidence of occupied habitat, take is still prohibited, and thus if an MPG is harmed during project construction, the harm still constitutes a violation of federal and state law, even if the field assessment protocols were followed.

2.2 CITY OF TENINO REGULATIONS

The City of Tenino regulates impacts to Critical Areas within the City under Title 112, and regulates Fish and Wildlife Habitat Conservation Areas – which would include MPG habitats -- under Title 112.20.100. Title 112.20.100 specifically lists the Mazama pocket gopher as a protected species, but also describes protection of several other plant and animal species that occur in prairie habitat, including at least one plant species that was previously documented onsite – the white-topped aster. Therefore, the site may also be regulated as prairie habitat – which will be discussed below. But the primary focus of this site assessment was to document presence or absence of Mazama pocket gopher.

2.3 USFWS FIELD PROTOCOL

- MPG Surveys must be completed during the screening season between June 1 and October 31, when the gophers are thought to be most active.
- Surveys may be conducted by a single, certified consultant, or as part of a team with at least one certified consultant.
- Surveys are to be conducted by person(s) methodically walking parallel line transects spaced no more than 5 meters apart, covering the entire parcel, not just the proposed project footprint, and examining ground for evidence of MPG occurrence (i.e. mounds) (Figure 4).
- Track lines and positions will be recorded using a handheld GPS.
- All mounds observed will be identified as mole or MPG mounds and data including date, time, and GPS position will be recorded and photographed.
- Dependent upon soil type, two versus three surveys may be required. However, Thurston County has determined that two surveys are adequate in most cases to establish whether the MPG is present.

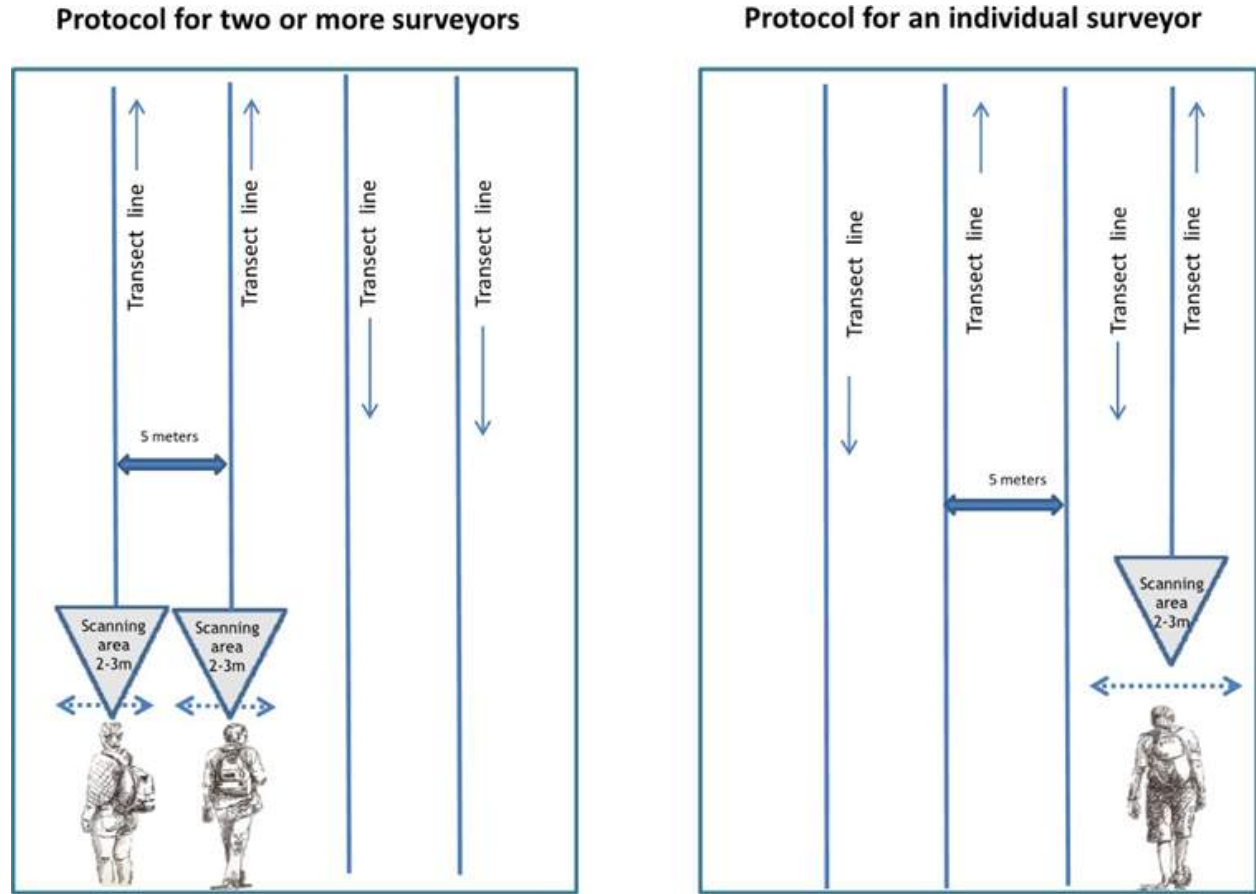


Figure 4. Example of USFWS field survey transect layout.

3. BACKGROUND RESEARCH

3.1 SOILS

According to the Thurston County database mapping of Gopher Indicator Soils, the Study Site is overlaid by “More Preferred” Soils (see Figure 5). Soil Survey maps (USDA Natural Resources Conservation Service Web Soil Survey) indicate the soil map unit is Spanaway-Nisqually complex (114). The Spanaway gravelly sandy loam and Nisqually loamy fine sand soils series are intertwined across this ancient glacial floodplain – being remnants of sand and gravel bars in the ancient river channel. These soils are described in the Soil Survey as being *“very deep, somewhat excessively drained soils that formed in glacial outwash on terraces and plains with slopes ranging from 0 to 15 percent”*. The Nisqually typically has very little gravel content, while the Spanaway tends to be gravelly at the surface grading to very gravelly, then extremely gravelly with depth.

This soil complex often includes Mima Mounds in this part of Thurston County – i.e., at the southern terminus of the glacier that covered the northern half of Thurston County from about 10,000-100,000 years ago. The Mima Mounds developed as post glacial floods eroded soils away between frozen tundra freeze-thaw polygons, and thus in gravelly areas, the eroded base between mounds is often extremely gravelly or cobbly in comparison to the less gravelly mounds. In areas with extremely cobbly or gravelly soils – such as were observed onsite – Mima Mounds are more likely to persist as they are very difficult to clear and grade, so will damage farming equipment. They are not highly productive agricultural soils, and thus are more commonly managed as rangeland. The Project Site does have Mima Mounds (showing as small black dots in the Figure 5 photo), which indicates that it has never been plowed, unlike some of the surrounding areas with less gravelly soils where the mounds no longer persist.



Figure 5. Showing site is mapped on “More Preferred Soils”.

3.2 WASHINGTON DEPARTMENT OF FISH AND WILDLIFE (WDFW) PHS MAPPING

According to the Washington Department of Fish and Wildlife (WDFW) Priority Habitats and Species database (see upper display, Figure 6), MPG was previously documented on this property on May 07th, 2007. The accuracy of the data is described as 1/8 mile, but no point location is provided. This 2007 documentation was apparently concurrent with work carried out in relation development of the Tenino Sewage Treatment Plant, which assessed an area around the proposed Treatment Plant perimeter for presence of protected animal or plant prairie species. The WDFW database does not document any more recent occurrences of the MPG within the Project Site parcel (after the WDFW 2007 PHS database notice).

A report by Ecological Land Services biologists, submitted in June 2007 for the Tenino Sewage Treatment Plant Project, noted that they did not find evidence of any occupied MPG habitat within the Tenino Wastewater Treatment site during November 2005, July 2006 and May 2007 site visits. But they did note that “*Mazama pocket gophers were documented in 1995 south of the WWTP site along north bank of Scatter Creek (WDFW 2006).*”

The current PHS database shows more recent documentation (2012-2017) of occupied habitat in offsite areas to the west and south. The closest current PHS database documentation of MPG habitat is on a parcel about 800 feet to the southeast on a residential site that has been plowed and cleared of Mima Mounds.

We note that the WDFW database also associates two different protected butterfly species (Taylor’s Checkerspot and Mardon Skipper) with the site. That data was collected in 1984, and the polygon associated with the butterfly documentation is was much larger than the immediate Project Site (see lower display in Figure 6). The 2007 ELS report

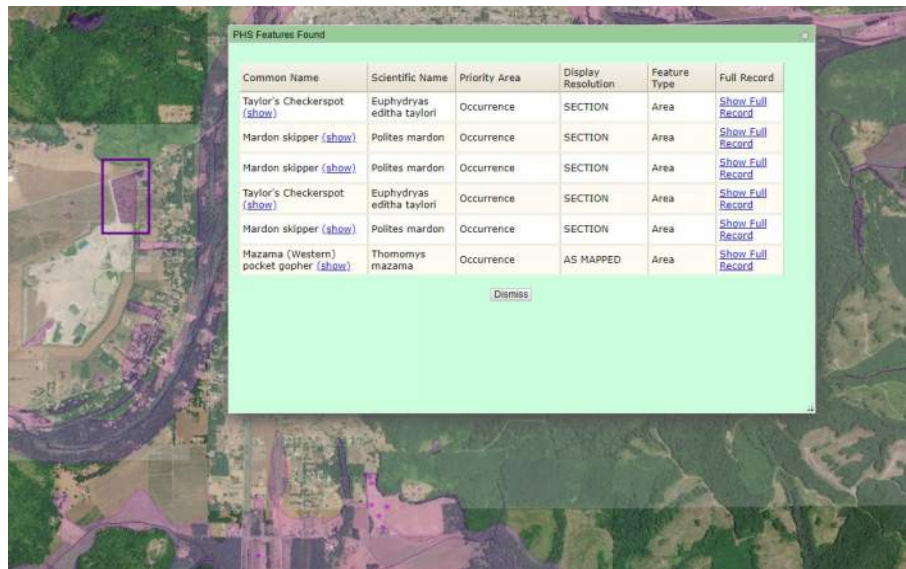


Figure 6. Showing PHS mapping of MPG and other prairie species on and near the project site.



notes Wildlife Heritage Points documenting occurrence of these species located south of the WWTP site in Rock Prairie. They also note the presence of suitable habitat elsewhere within Rock Prairie, but did not document presence of either butterfly species onsite.

3.3 VEGETATION

According to the June 2007 Biological Assessment report prepared by Ecological Land Services, Inc. for the Tenino Wastewater Treatment Plant Project (mentioned above), plant species and vegetation communities documented on or near the Study Area are listed below.

- White Top Aster (*Sericocarpus rigidus*¹, formerly *Aster curtus*, Figure 7) was documented onsite, and the project was designed to avoid impacts to these rare plants, partly by setting aside a Prairie Conservation Area site in the southeastern portion of the Study Site.
- A grove of Oak (Oregon white oak, *Quercus garryana*) was documented on the project site. This species is not listed, but in 2007, oak groves of a certain size were protected in Thurston County as a Priority Habitat. The oak grove was described in the ELS 2007 report as “not large enough to qualify as a state priority habitat”².
- Prairie vegetation community – mostly concentrated in the southeastern portion of the site.
- Scot’s broom (invasive) covers approximately 50% of the site.



Figure 7. Burke Herbarium photos of White top aster, photos at either end are by G.D Carr; central photo is by John Gamon.

¹ According to WADNR Natural Heritage Program, this species is listed as Threatened in Oregon and Canada. It is listed as Sensitive in the state of Washington, and by BLM and USFS; it is federally listed as a Species of Concern.

² A 2012 Critical Areas Update Fact Sheet from Thurston County indicates that prairie or Oregon white oak habitat areas as small as one acre may be regulated as “important habitat.” Areas of <one-acre may also be could also be protected if they are near enough to other prairie and/or oak habitat to be functionally associated. Individual Oregon white oak trees may also be protected if they are of value to fish and wildlife.

4. RESULTS AND DISCUSSION

4.1 PLANT COMMUNITY ASSESSMENT RESULTS

The purpose of this project was primarily to document presence versus absence of occupied Mazama pocket gopher habitat. However, because the MPG is dependent on prairie habitat, and because the City is also interested in occurrence of prairie habitat on the site as may affect site development potential, a brief listing of plants that were observed during the MPG site assessment is provided below.

The western majority of the site has some prairie plant species in the understory between Scot's broom plants and thickets. However, Scot's broom covers approximately 50% of the Study Site surface on average, and becomes increasingly dense and common to the south. Figure 8 shows a close up of the northern end of the site, and is provided as an example of the Scot's broom vegetation pattern that occurs across the site. The older thickets of Scots broom are outlined in darker green. These plants are typically 5 to 6+ feet tall, and are growing so close together that walking through the thicket is very difficult. The light green polygons are young Scot's broom thickets, filling in between the old stands. These plants are mostly 2-4 feet tall. In some areas, even these young thickets are dense enough that walking through is difficult. Overall percent cover by Scot's broom is approximately 50%. In areas with dense Scots broom, the transects were sometimes walked around the edge of the thickets rather than through. This was considered acceptable, as MPG typically avoid Scot's broom stands.



Figure 8. Showing older (dark green) versus younger (light green) thickets of Scot's broom.

Many of the plants growing between the Scot's broom in the western half of the Study Area (closer to the gravel pit access road) are common grassland species, not only associated with prairie habitats, including:

Common pasture grass species – such as:

- Kentucky bluegrass (*Poa pratensis*),
- Velvetgrass (*Holcus lanatus*), and
- Tall fescue (*Festuca arundinacea*).

Common weeds, ferns and wildflowers – such as:

- Queen Anne's lace (*Daucus carota*),
- Hawkweed (*Hieracium spp.*),
- Common catsear (*Hypochaeris radicata*),
- Tansy ragwort (*Jacobaea vulgaris*),
- Common tansy (*Tanacetum vulgare*),
- Common yarrow (*Achillea millefolium*),
- Bluebell (*Campanula rotundifolia*),
- Bracken fern (*Pteridium aquilinum*),
- Narrow-leaf plantain (*Plantago lanceolata*),
- Oxeye daisy (*Leucanthemum vulgare*), and
- Himalayan blackberry (*Rubus armeniacus*).

Common shrubs – such as:

- Common snowberry (*Symphoricarpos albus*), and
- Serviceberry (*Amelanchier alnifolia*).

Common tree species – such as:

- Douglas-fir (*Pseudotsuga menziesii*) *Seven 5-10yr old volunteers

The areas with more prairie plant species cover were mostly concentrated in the 6-acre southeast portion of the Study Site, described as the “Prairie Conservation Area” in the 2007 ELS report. That area appears to have been less disturbed in the past, possibly due to being farther from the gravel pit access road to the west.

The following prairie species were documented during 2019 site visits for MPG habitat assessment:

- Roemer's fescue (*Festuca idahoensis ssp. Roemeri*),
- Common camas (*Camassia quamash*),
- Wild strawberry (*Fragaria virginia*),
- White-top aster (*Sericocarpus rigidus*) * listed species
- Spring gold (*Lomatium utriculatum*)
- Oregon sunshine (*Eriophyllum lanatum*)
- Spreading dogbane (*Apocynum androsaemifolium*) and
- Oregon white oak (*Quercus garryana*)

4.2 MPG HABITAT SITE ASSESSMENTS

4.2.1 2018 Assessment

In September 2018, Alex Callender (certified SCJ Alliance staff) performed a site reconnaissance visit during the June-October 2018 active MPG season. This visit did not follow the standard MPG site assessment protocol in that only one site visit was carried out during that field season, and although Mr. Callender carried out a thorough field assessment, walking the entire parcel, he did not follow the standard transect assessment protocol.

He described the property as having intact Mima Mounds (aside from the northern cross-site driveway), and he described the vegetation community being in a “somewhat native condition”, but with Scot’s broom expanding onsite, and thus limiting habitat availability. He said there were no “pristine” areas, and Camas density was sparse. No MPG mounds were documented, but he did note mole mounds were common in some areas (Figure 9).

He noted that the Study Area is adjacent to the Miles Sand and Gravel mine (to the west and south), and he suggested that impacts from western road – which has significant truck traffic – creates dust and noise throughout the day. In addition, Highway 509 to the north is also a source of noise. Summing effects of the Highway to the north with gravel pit and driveway access to the west and south; these impacts were thought to effectively reduce MPG habitat potential at the site.



Figure 9. Photo of mole mound from the 2018 Site visit.

4.2.2 2019 Assessment

During the summer of 2019, the site was evaluated by SCJ staff on three occasions – in July, September and October. During the July site visit, Lisa Palazzi (Certified Mazama Pocket Gopher Consultant) and Hans Shepherd (Environmental Planner) walked the Study Site in parallel transects from south to north, documenting percent cover by Scots broom and presence/absence of MPG in field notes. No handheld GPS was used during this site work, as this work was intended to provide a baseline for further site assessment.

Mole mounds were observed during this site visit, but only in the northern half of the Study Site. The mole mounds tended to be located in areas with less cobble content, and a significant portion of the southern site has large surface cobbles paving the ground between the mounds, with cobble diameters ranging from 3-10+ inches. Figure 10 provides an example of this cobbly condition, with the photo taken in an area without Scot's broom to make it easier to see the extensive surface cobbles.



Figure 10. Example view of large surface cobbles between Mima Mounds.

During the two subsequent field visits in September and October, paired transects set at approximate 15 ft intervals were walked across the Project Area using a handheld GPS to note transect locations and to set waypoints at any observed mole or pocket gopher mounds. The transects were located 15 ft apart on average, with a team of two field staff – Lisa Palazzi and Hans Shepherd during the September site visit, and Lisa Palazzi with Nick Mayfield (EIT) during the October site visit. As was mentioned above, in areas with dense Scot's broom thickets, the transects were sometimes wrapped around the perimeter

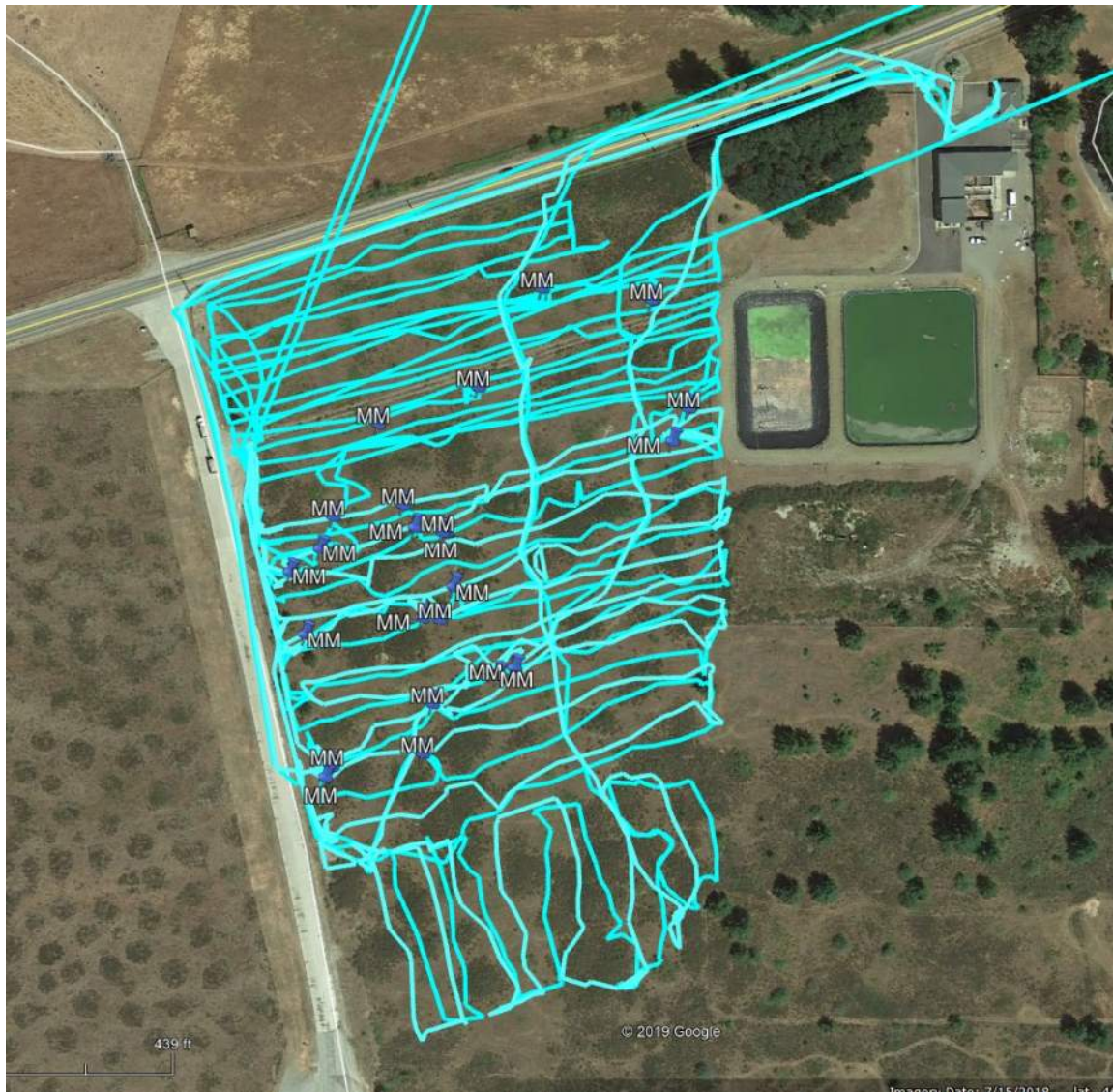


Figure 11. Showing transects with locations of mole mounds (MM) noted.

of the thickets rather than walked through. Ground cover inhibited the ability to walk straight lines; however, all ground was adequately covered for a thorough evaluation of detectable MPG presence.

The transects in the northern $\frac{3}{4}$ of the site were oriented from west to east. Transects in the southern $\frac{1}{4}$ of the site were oriented from south to north, to ensure that the southern parcel boundary was adequately marked, and to avoid assessment trespass impacts to the Miles Sand and Gravel ROW to the west.

No active or indeterminate Mazama pocket gopher mounds were observed during any of the site visits. However, there were areas with active mole mounds, some showing evidence of activity during the day of the site visit (fresh dirt at the surface), and some slightly older (drier soil surface with exposed gravels). As mentioned above, the mole mounds tended to be located in areas with fewer large surface cobbles. Gravel size in the mounds tended to be 1-2 inches in diameter.

The mole mounds were taller and circular with a central hole. Mole mound groupings observed within the Study Site were documented with handheld GPS waypoints, and are marked as “MM” within the transect lines displayed in Figure 10. Example mole mound photos are provided below in Figure 12.

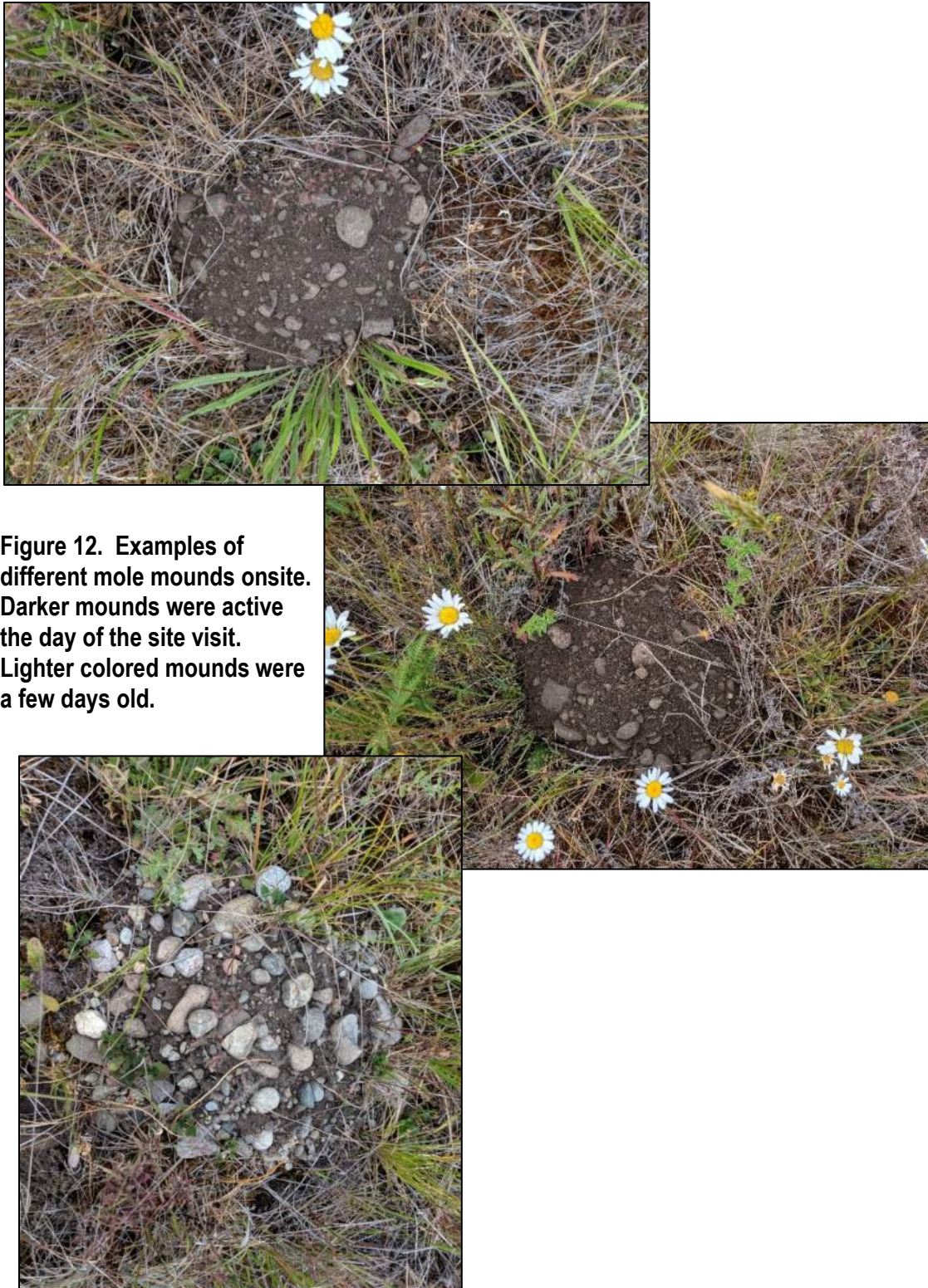


Figure 12. Examples of different mole mounds onsite. Darker mounds were active the day of the site visit. Lighter colored mounds were a few days old.

5. SUMMARY

Mazama pocket gopher screening surveys applying or adapting screening protocols designed by USFWS were conducted between June 1 – October 31 at the Tenino Business Innovation Center site in 2018 and 2019. Using online soil databases, the parcel’s soil type was determined to be Spanaway-Nisqually complex, a more-preferred soil type commonly mapped in areas with Mima Mounds – such as occur onsite. Walking line-transect surveys of this property were conducted by a pair of observers during each site visit, always including one certified Mazama pocket gopher consultant.

PHS databases indicate that occupied MPG habitat was documented onsite in 2007; but a concurrent report in 2007 prepared by ELS biologists indicated that no MPG were documented on the site during any site visits carried out in 2005, 2006 or 2007. However, MPG have been documented in areas offsite to the south and west.

2019 site assessment work did not find any MPG mounds, or otherwise any indications of currently occupied MPG habitat onsite. There are areas with prairie vegetation plant communities, particularly in the southeast portion of the Study Site, which was previously defined as a Prairie Conservation Area in association with development of the Tenino Sewage Treatment Plant. However, Scot’s broom is expanding rapidly onsite, and currently covers about 50% of the surface (Figure 13).



Figure 13. Common view of Study Site – grasslands and Scot’s broom.

6. REFERENCES

Biological Evaluation and Biological Survey Report for TENINO WASTEWATER TREATMENT PLANT THURSTON COUNTY, WASHINGTON, Thurston County. June 27, 2007.

City of Tenino Wastewater Treatment plant (WWTP) Mitigation Plan and prairie conservation Agreement, December 11, 2007

SCJ Alliance Technical Memo, 10/19/2018, Alex Callender, Site Reconnaissance at City of Tenino Agricultural Park to document any indications of occupation by Mazama pocket gopher.

Thurston County Site Inspection Protocol and Procedures: Mazama Pocket Gopher. United States Department of the Interior: US Fish and Wildlife Service. April 19, 2018. *Mazama Pocket Gopher*

United States Department of Agriculture: Natural Resources Conservation Service. 2019 UC Davis SoilWeb: An Online Soil Survey database, (<https://casoilresource.lawr.ucdavis.edu/gmap/>) and (<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>). Accessed online on various dates in 2019.

Washington Department of Fish and Wildlife (WDFW). 2019. Priority Habitats and Species database, (https://wdfw.wa.gov/conservation/phs/maps_data/). Accessed online on various dates in 2019.



September 21, 2022

Mr. Robert Connolly, PE
8730 Tallon Lane NE, Suite 200
Lacey, WA 98516

RE: Review of City of Tenino Preliminary Plat of Tenino Agricultural Park

Mr. Connolly,

Gibbs & Olson has reviewed the Preliminary Plat of Tenino Agricultural Park, in conjunction with City of Tenino Municipal Code (TMC) Chapter 114.

A Preliminary Plat is a neat, and approximate drawing of a proposed subdivision: showing the general layout of streets and alleys, lots, blocks; and restrictive covenants, to be applicable to the subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

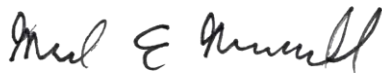
General Comments on the Preliminary Plat:

- The line segment and the curve segment on the southerly margin of Old Highway 99 do not add up to the distance between the west and east lines. Coming from the west, the line segment overlaps L4 by 7.24-feet \pm ; coming from the east, the curve definition overlaps L5 by 0.17-feet \pm . L4 and L5 segments appear to be in the curve and as such should be portions of the curve. Also, the delta of the curve is listed as decimal degrees; please use degrees, minutes, seconds.
- Line segment L8 falls 20-feet \pm of the distance between the west line and segment L9.
- Line segment lengths L26 and L27 are too long for the C2 definition or vice-versa.

Please review and address the above comments along with the requirements found in City of Tenino Municipal Code (TMC) Chapter 114 regarding subdivisions and platting as the Final Plat is prepared. A review of the Final Plat will be required before approval of the Final Plat is granted.

Note: There may be other items identified by other reviewers as part of the development review process.

Best Regards,



Mike Marshall, PE
City Engineer

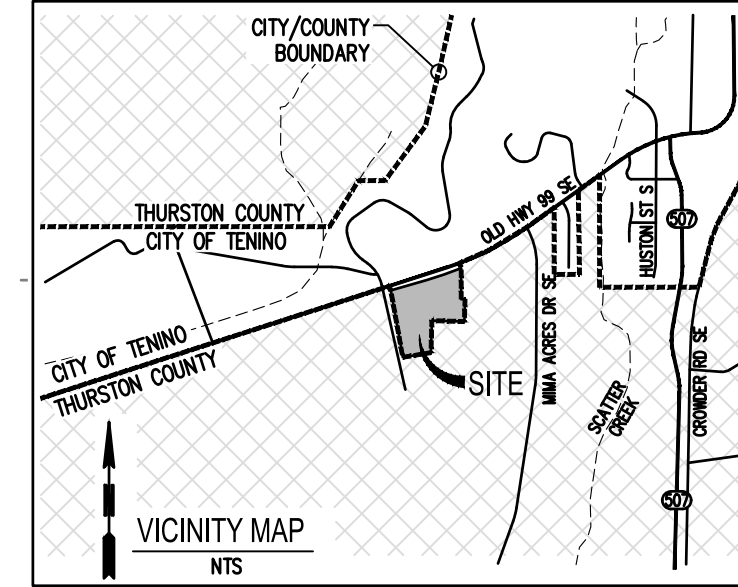
Attachment: "City of Tenino Agricultural Park - Preliminary Plat -reviewed"

File: 0751.5000a

TENINO AGRICULTURAL PARK
SEC. 25, T16N., R2W., W.M.
TENINO, WA

Note: these two main labels do not encompass the distance between the east and west lines. The line segment overlaps 7.24-feet ± into L4; L4 and L5 are Chords; and the curve segment overlaps 0.17-feet ± into L5. also the delta is listed in decimal degrees; please use DMS.

SCALE IN FEET



SITE INFORMATION

PARCEL NUMBER: 12625130103
SITE ADDRESS: 16402 OLD HIGHWAY 99 SE
TENINO, WA 98589
SITE AREA: 874,107 SF/20.07 ACRES
ZONING: P/SP (PUBLIC/SEMI-PUBLIC)
SETBACKS:
-FRONT: 0'
-SIDE: 0'
-REAR: 0'
MAXIMUM IMPERVIOUS SURFACE: 100%
MAXIMUM BUILDING COVERAGE: N/A
OWNER: CITY OF TENINO

ORIGINAL LOT AREA

PARCEL #12625130103 874,107 SF

NEW LOT AND TRACT AREAS

LOT #1 - TREATMENT PLANT	311,881 SF/7.16 AC
LOT #2 - FUTURE COMMERCIAL BUILDING	40,834 SF/0.94 AC
LOT #3 - FUTURE COMMERCIAL BUILDING	17,947 SF/0.41 AC
LOT #4 - FUTURE COMMERCIAL BUILDING	31,716 SF/0.73 AC
LOT #5 - FUTURE DEVELOPMENT	345,329 SF/7.93 AC
TRACT 'A' - STORM DRAINAGE	16,779 SF/0.39 AC
TRACT 'B' - STORM DRAINAGE	38,917 SF/0.89 AC
TRACT 'C' - SHARED ACCESS/PARKING/UTILITY EASEMENT	70,705 SF/1.62 AC

LEGAL DESCRIPTION

LOT B OF BOUNDARY LINE ADJUSTMENT NO. BLA-06-114384TC, AS RECORDED JUNE 26, 2007 UNDER AUDITOR'S FILE NO. 3937839.

RESTRICTIONS

THE COST OF CONSTRUCTION AND MAINTAINING ALL STREETS NOT HEREIN DEDICATED AS PUBLIC STREETS SHALL BE THE OBLIGATION OF ALL OF THE OWNERS, AND THE OBLIGATION TO MAINTAIN SHALL BE CONCURRENTLY THE OBLIGATION OF ANY CORPORATION IN WHICH TITLE OF THE STREETS MAY BE HELD.

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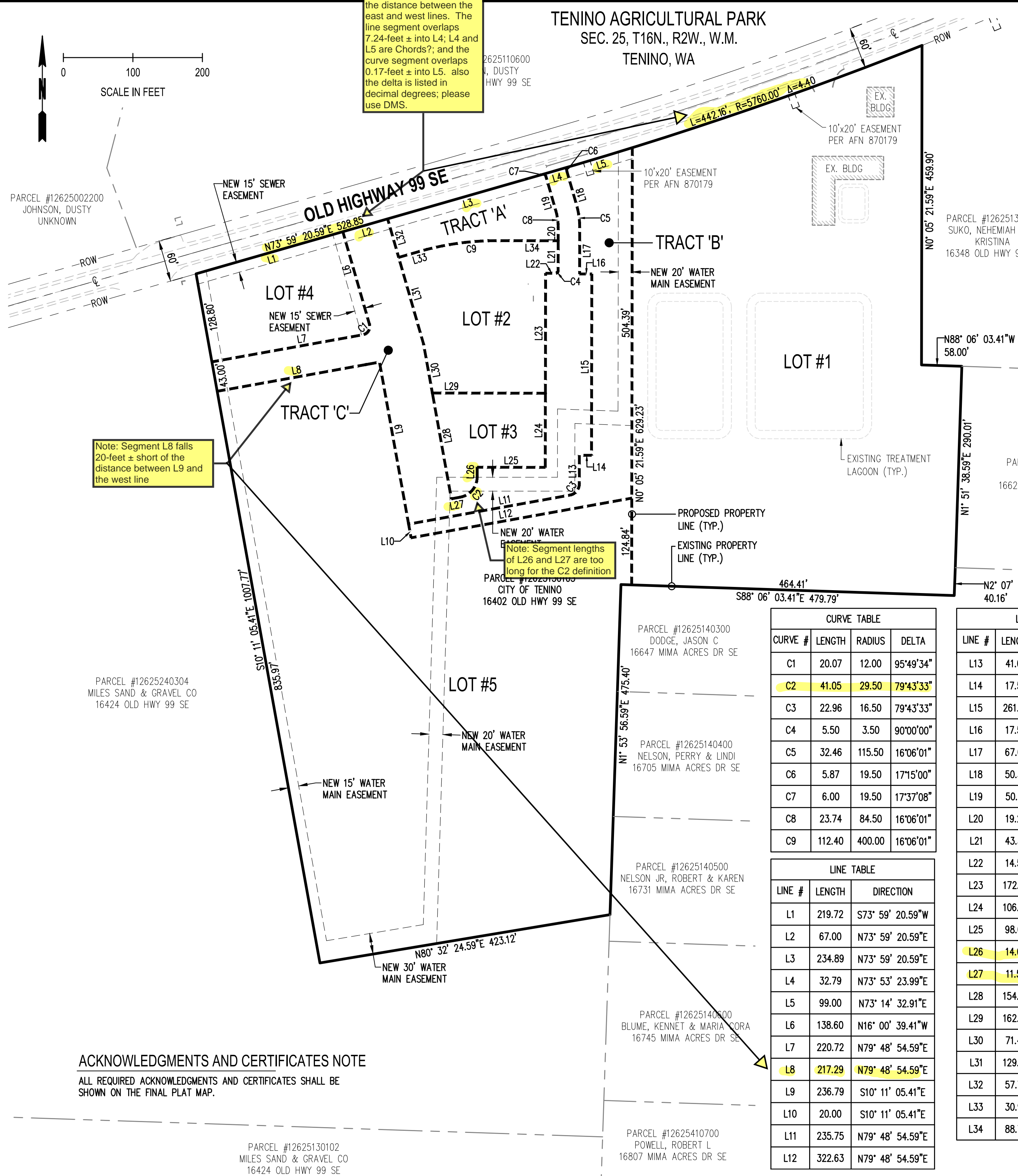
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Note: Segment L8 falls 20-feet ± short of the distance between L9 and the west line

Note: Segment lengths of L26 and L27 are too long for the C2 definition

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA
C1	20.07	12.00	95°49'34"
C2	41.05	29.50	79°43'33"
C3	22.96	16.50	79°43'33"
C4	5.50	3.50	90°00'00"
C5	32.46	115.50	16°06'01"
C6	5.87	19.50	17°15'00"
C7	6.00	19.50	17°37'08"
C8	23.74	84.50	16°06'01"
C9	112.40	400.00	16°06'01"

LINE TABLE

LINE #	LENGTH	DIRECTION
L13	41.08	N0° 05' 21.59"E
L14	17.50	S89° 54' 38.41"E
L15	261.00	N0° 05' 21.59"E
L16	17.50	N89° 54' 38.41"W
L17	67.02	N0° 05' 21.59"E
L18	50.33	N16° 00' 39.41"W
L19	50.15	N16° 00' 39.41"W
L20	19.27	N0° 05' 21.59"E
L21	43.35	N0° 05' 21.59"E
L22	14.50	S89° 54' 38.41"E
L23	172.59	N0° 05' 21.59"E
L24	106.72	N0° 05' 21.59"E
L25	98.00	S89° 54' 38.41"E
L26	14.05	N0° 05' 21.59"E
L27	11.53	N79° 48' 54.59"E
L28	154.54	S10° 11' 05.41"E
L29	162.63	S89° 54' 38.41"E
L30	71.45	S10° 11' 05.41"E
L31	129.97	S16° 00' 39.41"E
L32	57.70	S16° 00' 39.41"E
L33	30.95	S73° 59' 20.59"W
L34	88.75	N89° 54' 38.41"W

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	219.72	S73° 59' 20.59"W
L2	67.00	N73° 59' 20.59"E
L3	234.89	N73° 59' 20.59"E
L4	32.79	N73° 53' 23.99"E
L5	99.00	N73° 14' 32.91"E
L6	138.60	N16° 00' 39.41"W
L7	220.72	N79° 48' 54.59"E
L8	217.29	N79° 48' 54.59"E
L9	236.79	S10° 11' 05.41"E
L10	20.00	S10° 11' 05.41"E
L11	235.75	N79° 48' 54.59"E
L12	322.63	N79° 48' 54.59"E

ACKNOWLEDGMENTS AND CERTIFICATES NOTE

ALL REQUIRED ACKNOWLEDGMENTS AND CERTIFICATES SHALL BE SHOWN ON THE FINAL PLAT MAP.

PRELIMINARY PLAT

TENINO AGRICULTURAL PARK

16402 OLD HWY 99 SE TENINO, WA

SEAL:



DRAWING NO:

PP-1

1 OF 1

PARCEL #12625130102
MILES SAND & GRAVEL CO
16424 OLD HWY 99 SE

PARCEL #1262510700
POWELL, ROBERT L
16807 MIMA ACRES DR SE

PARCEL #12625140300
DODGE, JASON C
16647 MIMA ACRES DR SE

PARCEL #12625140400
NELSON, PERRY & LINDI
16705 MIMA ACRES DR SE

PARCEL #12625140500
NELSON JR, ROBERT & KAREN
16731 MIMA ACRES DR SE

PARCEL #12625140600
BLUME, KENNET & MARIA CORA
16745 MIMA ACRES DR SE

PARCEL #12625130200
DODGE, JANICE
16629 MIMA ACRES DR SE

PARCEL #12625130000
SUKO, NEHEMIAH A & KRISTINA
16348 OLD HWY 99 SE

PARCEL #12625110500
ROGERS, SHANE E
16346 OLD HWY 99 SE

PARCEL #12625140000
SUKO, NEHEMIAH A & KRISTINA
16400 OLD HWY 99 SE

PARCEL #12625002200
JOHNSON, DUSTY
UNKNOWN

2625110600
N. DUSTY
HWY 99 SE



Ryan Patrick Shea <ryanpatrick.shea@scjalliance.com>

Request for Agency Review (Tenino #PSD2022-0001)

Kelli Dineen <kelli.dineen@co.thurston.wa.us>

Fri, Sep 23, 2022 at 3:10 PM

To: "ryanpatrick.shea@scjalliance.com" <ryanpatrick.shea@scjalliance.com>

REVIEW COMMENTS

Only FINAL PROJECTS are reviewed by this office. A Preliminary Proposal is premature and does not contain the information that we require to complete our tasks.

Kelli Dineen

Senior Property Control Analyst

Thurston County Assessor's Office

360-867-2244

My office hours:

Tuesday-Friday 7am-530pm



PATRICIA LARSON
CORPORATE PROGRAMS MANAGER

DIRECT: 253.833.3705 x 461
MOBILE: 253.736.3066
patricia.larson@miles.rocks

OFFICE: 253.833.3705
FAX: 253.833.3746

400 Valley Ave NE
Puyallup, WA 98372-2516



Miles Sand & Gravel Company
400 Valley Ave NE
Puyallup, WA 98372-2516
WWW.MILES.ROCKS

RECEIVED
SEP 29 2022
CITY OF TENINO

September 29, 2022

City of Tenino
Attn: Ryan Shea, Contract Planner
149 Hodgen Street South
Tenino, WA 98589

RE: City of Tenino Preliminary Plat PSD2022-0001

Dear Mr. Shea,

Thank you for the opportunity to comment on the Tenino Agricultural Park Preliminary Plat PSD2022-0001. We have a couple of comments/requests regarding this project:

First, Miles Sand & Gravel Company (Miles) owns property on two sides of the proposed project: to the south and west of the proposed preliminary plat. This property has been permitted as a mineral extraction facility since 1979, and Miles has been operating the facility since 2004. It should be noted and disclosed on the face of the plat to potential businesses and/or buyers that the lots will be adjacent to and near an existing mining resource.

Second, we would like to comment on access to the proposed plat from the Miles property. Tract C is shown on the preliminary plat as shared access/parking/utility easement. The documentation for "Southwest Washington Agricultural Business & Innovation Park Master Plan" prepared by SCJ Alliance, project SCJ # 1450.11 (no reference date denoted) shows Tract C connecting as access for primary passenger vehicle access to and from the plat. Our private access road is currently used by commercial truck traffic, and allowing use by passenger vehicles to and from the new development on our property is a safety concern. Currently there is no agreement between Miles and the City of Tenino to use the private access road for this proposal. We would like the City to verify there are other options for access established for the plat besides the Miles property, for example direct access from Old Hwy 99 SE.

We look forward to reviewing how the development will address the fact that it is located next to a mineral extraction facility, as well as our vehicle access concerns. We will be providing further public comment at the appropriate time during the hearing on October 5, 2022.

Please add us to the list of interested parties for updates on this project. Feel free to contact me with questions and thank you for your assistance with this matter.

Sincerely,

Patricia Larson
Corporate Programs Manager
Miles Sand & Gravel Company



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Southwest Region Office
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

September 29, 2022

Ryan Shea, City Planner
City of Tenino
149 Hodgden Street
Tenino, WA 98589

Dear Ryan Shea:

Thank you for the opportunity to comment on the determination of nonsignificance for the Tenino Agricultural Park Preliminary Plat Project (PSD2022-0001) located at 16402 Old Highway 99 Southeast. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.

TOXICS CLEANUP: Thomas Middleton (360) 999-9594

If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Thomas Middleton with the SWRO, Toxics Cleanup Program at the phone number provided above.

**WATER QUALITY/WATERSHED RESOURCES UNIT:
Evan Wood (360) 706-4599**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Ryan Shea
September 29, 2022
Page 2

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Construction Stormwater General Permit:

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

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

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Carol Serdar at Carol.Serdar@ecy.wa.gov, or by phone at (360) 742-9751.

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

<https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

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

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

Ryan Shea
September 29, 2022
Page 3

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(GMP:202204606)

cc: Derek Rockett, SWM
Thomas Middleton, TCP
Evan Wood, WQ

Affidavit of Publication

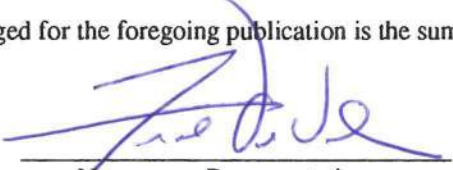
The undersigned, being first duly sworn on oath desposes, and says that he/she is an authorized representative of the TENINO INDEPENDENT, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published in the English language continually as a weekly newspaper in Tenino, Thurston County, Washington and it's now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of a

SEPA DNS, Tenino Agricultural Park Preliminary Plat

was published on Sept. 14, 2022

The amount of the fee charged for the foregoing publication is the sum

of \$ 9812


Newspaper Representative

Subscribed and sworn to before me this

14th day of Sept., 2022

Renee C. Justice
Notary Public in and for the State of Washington

SEAL

The Tenino Independent
P.O. Box 4004
297 W. Sussex Ave.
Tenino, Washington 98589



PUBLIC NOTICE
Notice of Application, SEPA DNS, and Special Planning Commission Public Hearing
Tenino Agricultural Park Preliminary Plat
September 14, 2022
Proponent: City of Tenino, WA
Project #: PSD2022-0001
Location: Parcel #12625130103, 16402 Old Highway 99 SE, Tenino, WA 98589
Lead agency: City of Tenino, WA
Determination of Completeness: September 12, 2022
Description of proposal: Preliminary plat to subdivide a city-owned 20.07-acre parcel zoned Public/Semi-Public into five lots, 1 housing the existing wastewater treatment plant and 4 for future development. Also included are tracts for storm drainage and shared access/parking. The site is envisioned to ultimately house the Tenino Agricultural Park, and this proposal is related to a master plan that was developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over several years.
Determination of Non-Significance (DNS): The City of Tenino Planning Department determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2). This decision was made after review of a completed environmental checklist, a Mazama Pocket Gopher Screening Report completed in January 2020, and other information on file with the lead agency. This information is available to the public on request at: 149 Hodgden St S, Tenino, WA 98589.
Notice of Special Planning Commission Public Hearing:
Date: Wednesday, October 5, 2022
Time: 6:00 pm
Location: Tenino City Hall, 149 Hodgden St S, Tenino, WA 98589
Purpose: For the Planning Commission to review the proposed preliminary plat application for conformance of TMC Title 114 requirements and make a recommendation of approval or denial to the City Council, who will make the final decision for this application. All interested persons may appear and provide testimony. The copy of the staff report will be available for inspection at no cost at least five calendar days prior to the hearing.
This DNS is issued under WA...



149 Hodgen Street South
PO Box 4019
Tenino, WA 98589
(360) 264-2368

September 13, 2022

***Notice of Application, SEPA DNS, & Public Hearing Announcement for Tenino Agricultural Park
Preliminary Plat (PSD2022-0001)***

Dear Property Owner,

This letter serves to notify you that an application for preliminary subdivision approval was filed by the City of Tenino. The application was determined to be complete on September 12, 2022. You are receiving this letter as a property owner within 300 feet or are at least two parcels away from the proposed subdivision. A public hearing for this application will be held before the Planning Commission during a special meeting on Wednesday, October 5, 2022 at Tenino City Hall, 149 Hodgden St S, Tenino, WA 98589.

The property, located at 16402 Old Highway 99 SE, Tenino, Washington (Parcel No. 12625130103), is 20.07 acres in size, zoned Public/Semi-Public, is owned by the City of Tenino, and currently has the City's wastewater treatment plant sited on it. The applicant, the City of Tenino, proposes dividing the existing parcel into five lots, 1 housing the existing wastewater treatment plant and 4 for future development. Also included are tracts for storm drainage and shared access/parking. The site is envisioned to ultimately house the Tenino Agricultural Park, and this proposal is related to a master plan that was developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over several years.

The City of Tenino Planning Department determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2). This decision was made after review of a completed environmental checklist, a Mazama Pocket Gopher Screening Report completed in January 2020, and other information on file with the lead agency. This information is available to the public on request at: 149 Hodgden St S, Tenino, WA 98589.

It is the right of every person to comment on the application and request a copy of the decision. The public comment period on this application runs through September 29, 2022; any comments you may wish to submit should be received by then. An appeal of the decision on this application can be made pursuant to TMC Sec. 100.70.030.

If you have any questions regarding the application, please feel free to contact me at 208-310-2083 or via email at ryanpatrick.shea@scjalliance.com. You may also review the application materials at City Hall during normal business hours, Tuesday — Friday from 8:00 am to 4:00 pm. Once a decision is made on this request, those materials will also be available at City Hall.

Sincerely,

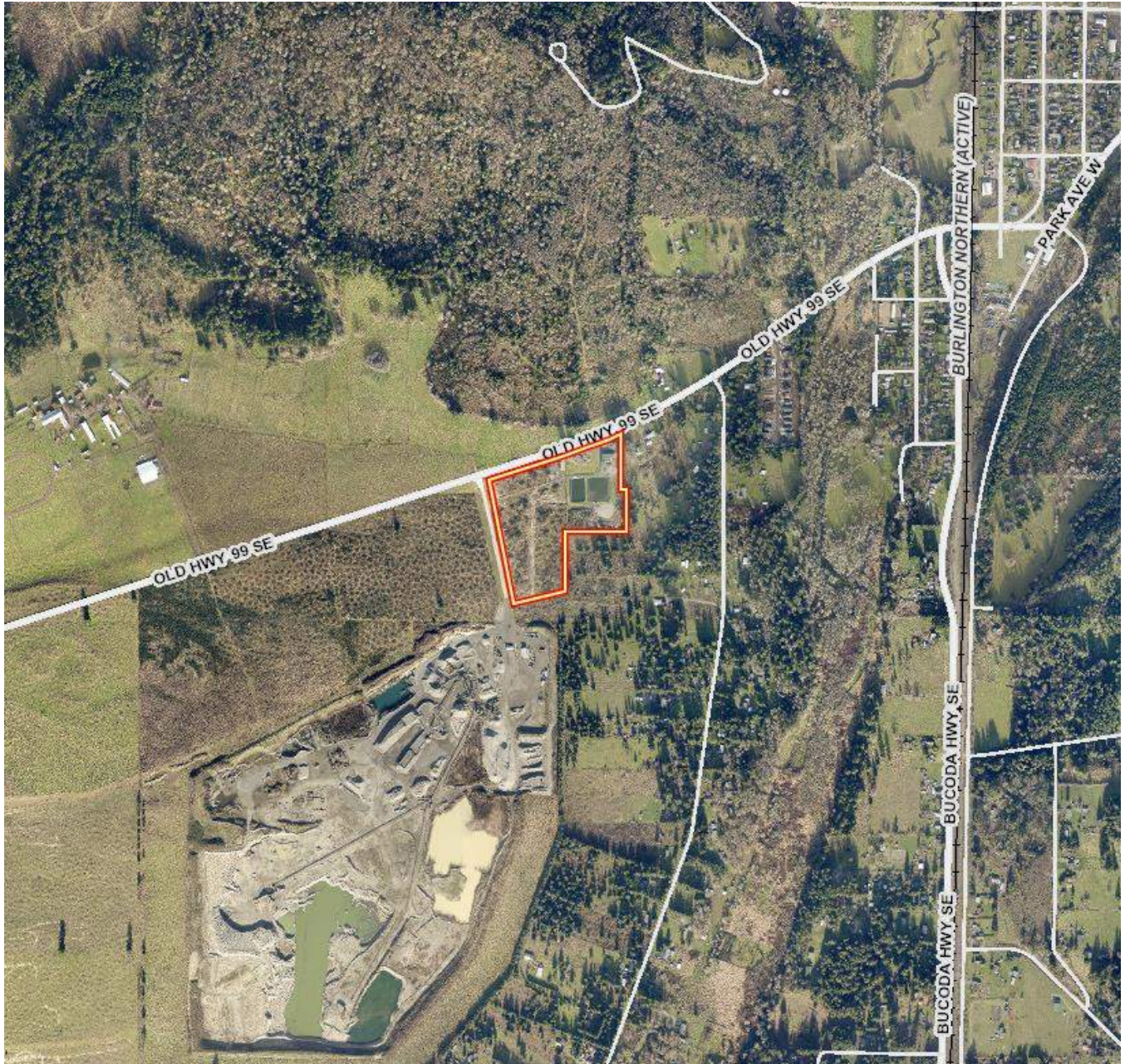
A handwritten signature in black ink that reads "Ryan Shea".

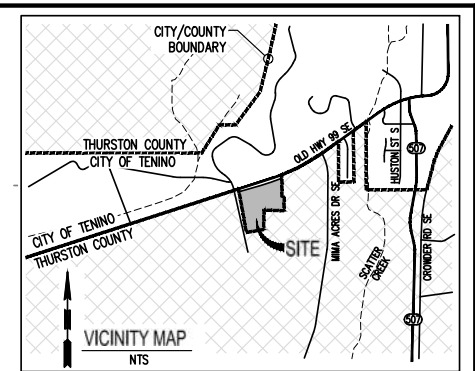
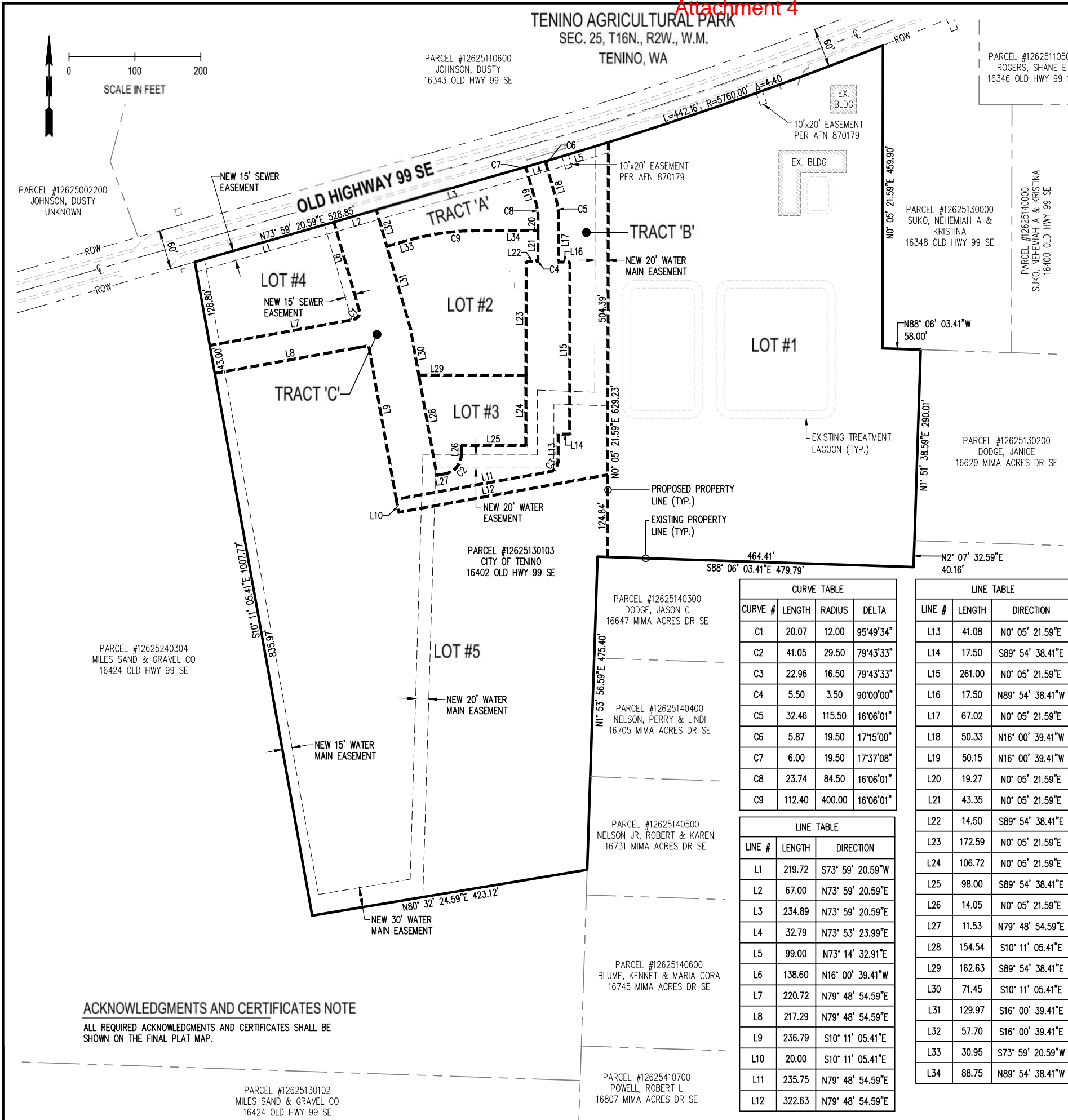
Ryan Shea
Contract Planner, City of Tenino

Attachment 4
SITE DESCRIPTION

Property Location: 16402 Old Highway 99 SE, Tenino, WA 98589
Parcel Number: 12625130103
Zoning: Public/Semi-Public
Property Size: 20.07 acres

VICINITY MAP





SITE INFORMATION

PARCEL NUMBER: 12625130103
SITE ADDRESS: 16402 OLD HIGHWAY 99 SE
TENINO, WA 98589

SITE AREA: 874,107 SF/20.07 ACRES
ZONING: P/SP (PUBLIC/SEMI-PUBLIC)

SETBACKS:
-FRONT: 0'
-SIDE: 0'
-REAR: 0'

MAXIMUM IMPERVIOUS SURFACE: 100%
MAXIMUM BUILDING COVERAGE: N/A
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CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA
C1	20.07	12.00	95°49'34"
C2	41.05	29.50	79°43'33"
C3	22.96	16.50	79°43'33"
C4	5.50	3.50	90°00'00"
C5	32.46	115.50	16°06'01"
C6	5.87	19.50	17°15'00"
C7	6.00	19.50	17°37'08"
C8	23.74	84.50	16°06'01"
C9	112.40	400.00	16°06'01"

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	219.72	S73° 59' 20.59"W
L2	67.00	N73° 59' 20.59"E
L3	234.89	N73° 59' 20.59"E
L4	32.79	N73° 53' 23.99"E
L5	99.00	N73° 14' 32.91"E
L6	138.60	N16° 00' 39.41"W
L7	220.72	N79° 48' 54.59"E
L8	217.29	N79° 48' 54.59"E
L9	236.79	S10° 11' 05.41"E
L10	20.00	S10° 11' 05.41"E
L11	235.75	N79° 48' 54.59"E
L12	322.63	N79° 48' 54.59"E

LINE TABLE

LINE #	LENGTH	DIRECTION
L13	41.08	N0° 05' 21.59"E
L14	17.50	S89° 54' 38.41"E
L15	261.00	N0° 05' 21.59"E
L16	17.50	N89° 54' 38.41"W
L17	67.02	N0° 05' 21.59"E
L18	50.33	N16° 00' 39.41"W
L19	50.15	N16° 00' 39.41"W
L20	19.27	N0° 05' 21.59"E
L21	43.35	N0° 05' 21.59"E
L22	14.50	S89° 54' 38.41"E
L23	172.59	N0° 05' 21.59"E
L24	106.72	N0° 05' 21.59"E
L25	98.00	S89° 54' 38.41"E
L26	14.05	N0° 05' 21.59"E
L27	11.53	N79° 48' 54.59"E
L28	154.54	S10° 11' 05.41"E
L29	162.63	S89° 54' 38.41"E
L30	71.45	S10° 11' 05.41"E
L31	129.97	S16° 00' 39.41"E
L32	57.70	S16° 00' 39.41"E
L33	30.95	S73° 59' 20.59"W
L34	88.75	N89° 54' 38.41"W

ACKNOWLEDGMENTS AND CERTIFICATES NOTE

ALL REQUIRED ACKNOWLEDGMENTS AND CERTIFICATES SHALL BE SHOWN ON THE FINAL PLAT MAP.

DATE	
REVISIONS	
JOB NO:	22-000468
DRAWN BY:	P. SWAN
APPROVED BY:	R. CONNOLLY
DATE:	SEPT. 2022

SCJ ALLIANCE CONSULTING SERVICES

8730 TALLON LANE NE, SUITE 200, LACEY, WA 98516
P: 360.352.1465 F: 360.352.1509
SCJALLIANCE.COM

PRELIMINARY PLAT

TENINO AGRICULTURAL PARK
16402 OLD HWY 99 SE TENINO, WA

SEAL:

DRAWING NO:
PP-1
1 OF 1

Sep 13, 2022 10:41:07am - User: pete.swan
N:\PROJECTS\1450_THURSTON_EDC\22-000468_TENINO_AGRICULTURAL_PARK\CADD\22-000468_PRELIM_SHORT_PLAT.DWG

Attachment 4

ARNOLD, SPENCER

16821 MIMA ACRES DR SE
TENINO, WA 98589

**BLUME, KENNET ROBERT & MARIA
CORA**

16745 MIMA ACRES DR SE
TENINO, WA 98589

CITY OF TENINO

PO BOX 4019
TENINO, WA 98589

CUSHMAN, MICHAEL O & SANDI D

16714 MIMA ACRES DR SE
TENINO, WA 98589

DODGE, JANICE

PO BOX 211
TENINO, WA 98589

DODGE, JASON C

PO BOX 605
TENINO, WA 98589

JOHNSON, DUSTY

PO BOX 492
TENINO, WA 98589

MILES SAND & GRAVEL CO

400 VALLEY AVE NE
PUYALLUP, WA 98372

NELSON JR, ROBERT D & KAREN

16731 MIMA ACRES DR SE
TENINO, WA 98589

NELSON, PERRY & LINDI

612 NE 127TH AVE
VANCOUVER, WA 98684

POWELL, ROBERT L

16807 MIMA ACRES DR SE
TENINO, WA 98589

ROGERS, SHANE E

16346 OLD HWY 99 SE
TENINO, WA 98589

SAMPSON, DOUGLAS M

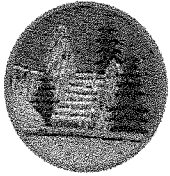
16604 MIMA ACRES DR SE
TENINO, WA 98589

SUKO, NEHEMIAH A & KRISTINA

16348 OLD HWY 99 SE
TENINO, WA 98589

THE CONSERVATION FUND

1655 N FORT MYER DR STE 1300
ARLINGTON, VA 22209



CITY OF TENINO
 PO Box 4019, 149 Hodgden Street South
 Tenino, WA 98589
 (360) 264-2368 (360) 264-5772 (FAX)

LAND USE APPLICATION

Application Type

Choose Application Type(s) - (select from the drop down menus below):

Land Use: Choose an item.	Shoreline Choose an item.
Subdivision: Subdivision (Alteration, Amendment, Preliminary)	Special reviews & Fees Choose an item.

**Please reference the City of Tenino's fee schedule. Applications will not be accepted or processed until all applicable fees, deposits, and special reviews have been paid. Acceptance of this application and required filing fee does not constitute a complete application. Plans and other material required to constitute a complete application are listed in the appropriate TMC Title 18 Series.*

Project Information

Project Name: Tenino Agricultural Park Preliminary Plat	Date: 9/12/2022
Address: 16402 Old Highway 99 SE, Tenino, WA 98589	
Parcel(s) #: 12625130103	
Existing Land Use: Public/Semi-Public	Proposed Land Use: N/A
Existing Zoning: Public/Semi-Public	Proposed Zoning: N/A

Project Description

Preliminary plat to subdivide a city-owned 20.07-acre parcel zoned Public/Semi-Public into five lots, 1 housing the existing wastewater treatment plant and 4 for future development. Also included are tracts for storm drainage and shared access/parking. The site is envisioned to ultimately house the Tenino Agricultural Park, and this proposal is related to a master plan that was developed for the site in 2020. The agricultural park is intended to be developed in multiple phases over several years.

Owner/ Applicant

Name: City of Tenino	Organization: City of Tenino
Mailing Address: 149 Hodgden St S / PO Box 4019, Tenino, WA 98589	
Email: jscharber@cityoftenino.org	
Phone: 360-264-3268	Cell: N/A

Contact/ Applicant Representative

Name: Same as applicant	Organization: Same as applicant
Mailing Address: Same as applicant	
Email: Same as applicant	
Phone: Same as applicant	Cell: N/A

Signature & Fees

Owner/ Applicant Signature:	Total Fees Due:
	Receipt #:
	City Project #: PSD2022-0001

Please complete all pages of this form.

EXHIBIT A:

Legal Description of Property

(If more space is required, please attach a separate sheet)

Lot B of Boundary Line Adjustment No. BLA-06-114384TC, as recorded June 26, 2007 under Auditor's File No. 3937839.

Affidavit

I, Wayne Fournier being duly sworn, declare that I am (please check one)
 the authorized representative to act for the property owner, or
 the owner of the property involved in this application.

The foregoing statements and answers herein contained, and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Wayne Fournier
(Signature of Owner or Authorized Agent)

149 Hodgden St S.
(Address)

State of _____)
County of _____)

Signed of attested
Before me on 9-14-22
(Date)

by Wayne Fournier
(Fill in Name)



Veronica Barnes
(Notary signature)

Veronica Barnes
(Print Name)

NOTARY PUBLIC in and for the State of Washington Residing at Tenino

My appointment expires: 5/17/25

COMMITMENT FOR TITLE INSURANCE



THURSTON
COUNTY TITLE

105 8th Ave SE
Olympia, WA 98501
Phone: 360-943-7300 Fax: 360-786-9315

Attachment 5

ALTA Commitment for Title Insurance

Issued by Old Republic National Title Insurance Company



NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

Issued through the office of:
Thurston County Title Company as
agent for
Old Republic National Title Insurance
Company

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Corporation
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Handwritten signature of Mark D. Smith

By [Handwritten Signature] President
Attest [Handwritten Signature] Secretary

Authorized Officer or Agent

Attachment 5

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (i) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (ii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

Attachment 5

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.



Thurston County Title Company
105 8th Ave SE, Olympia, WA 98501
Phone: 360-943-7300 Fax: 360-357-8562

Agent for
Old Republic National Title Insurance Company
ALTA COMMITMENT

SCHEDULE A

Title Officer: **Alex Mathews**

Order No.: **TH31028**

Escrow Officer:

Reference No.:

Ref:

Add'l Ref:

1. EFFECTIVE DATE: **February 23, 2021 at 8:00 AM.**

2. POLICY OR POLICIES TO BE ISSUED:

- | | | |
|---|---------|-----------------------|
| a. NONE | AMOUNT: | |
| b. ALTA 2006 EXTENDED LOAN POLICY | AMOUNT: | \$1,470,000.00 |
| Proposed Insured: | | |
| State of Washington Department of Commerce | | |
| c. NONE | AMOUNT: | |
| Proposed Insured: | | |

PREMIUM INFORMATION:

a.		TAX:	TOTAL:
b. REORGANIZATION RATE	\$1,277.00	TAX: \$120.04	TOTAL: \$1,397.04
c:		TAX:	TOTAL:

3. THE ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN AND WHICH IS COVERED BY THIS COMMITMENT IS:

Fee Simple

4. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF COMMITMENT VESTED IN:

CITY OF TENINO

5. THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF THURSTON, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

LOT B OF BOUNDARY LINE ADJUSTMENT NO. BLA-06-114384TC, AS RECORDED JUNE 26, 2007 UNDER AUDITOR'S FILE NO. 3937839.

Attachment 5

Commitment No. : TH31028

SCHEDULE B - SECTION I

REQUIREMENTS:

1. INSTRUMENTS CREATING THE ESTATE OR INTEREST TO BE INSURED MUST BE APPROVED AND FILED OF RECORD.
2. PAYMENT OF CANCELLATION FEE IN ACCORDANCE WITH OUR FILED RATE SCHEDULE, TO BE IMPOSED IF THIS TRANSACTION IS CANCELED FOR ANY REASON.
3. THIS COMMITMENT SHALL NOT OBLIGATE THE COMPANY TO ISSUE ANY ENDORSEMENT. ALL ENDORSEMENTS TO BE ISSUED MUST BE AGREED TO BY THE COMPANY AND APPROPRIATE FOR THE ESTATE INSURED.
4. ANY SKETCH OR MAP ENCLOSED AS AN ATTACHMENT HERewith IS FURNISHED FOR INFORMATION PURPOSES ONLY TO ASSIST IN PROPERTY LOCATION WITH REFERENCE TO STREETS AND OTHER PARCELS. NO REPRESENTATION IS MADE AS TO ACCURACY AND THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE THEREON.
5. A LEGAL DESCRIPTION WAS NOT INCLUDED IN THE APPLICATION FOR TITLE INSURANCE. THE LEGAL DESCRIPTION CONTAINED HEREIN WAS TAKEN FROM THE RECORD AND PRESUMED INTENTION OF THE PARTIES TO THE TRANSACTION. SAID DESCRIPTION MUST BE EXAMINED AND APPROVED BY ALL PARTIES PRIOR TO CLOSING.

END OF SCHEDULE B - SECTION I REQUIREMENTS

SCHEDULE B - SECTION II

SCHEDULE B OF THE POLICY OR POLICIES TO BE ISSUED WILL CONTAIN EXCEPTIONS TO THE FOLLOWING MATTERS UNLESS THE SAME ARE DISPOSED OF TO THE SATISFACTION OF THE COMPANY.

GENERAL EXCEPTIONS:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- K. DEFECTS, LIENS ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

END OF SCHEDULE B - SECTION II GENERAL EXCEPTIONS

Attachment 5

Commitment No. : TH31028

SPECIAL EXCEPTIONS:

1. GENERAL TAXES FOR 2021 IN THE ORIGINAL AMOUNT OF \$15.66. TAX ACCOUNT NO. 126-25-130103. (AREA CODE 530, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.) (SAID TAXES REFLECT A GOVERNMENT PROPERTY EXEMPTION)
2. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: PUGET SOUND POWER & LIGHT COMPANY, A WASHINGTON CORPORATION
PURPOSE: AN ELECTRIC LINE RIGHT-OF-WAY TOGETHER WITH THE RIGHT TO CONSTRUCT, MAINTAIN, REPLACE AND ENLARGE ONE OR MORE ELECTRIC LINES CONSISTING OF POLES, ANCHORS, WIRES AND/OR UNDERGROUND CABLES, CONDUITS AND MANHOLES
RECORDED: July 12, 1972
AUDITOR'S FILE NO.: [870179](#)
AREA AFFECTED: THIS AND OTHER PROPERTY
3. DECLARATION OF BOUNDARY LINE ADJUSTMENT NO. BLA-06-114384TC AND COVENANTS;
RECORDED: June 26, 2007
AUDITOR'S FILE NO.: [3937838](#)
4. ANY QUESTION OR DISPUTE ABOUT FENCE LINES, OR ABOUT OWNERSHIP OF THE LAND LYING BETWEEN THE FENCE AND THE RECORD BOUNDARY, THE LOCATION OF WHICH IS SHOWN ON SURVEY RECORDED June 26, 2007 UNDER FILE NO. [3937839](#).
5. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: CITY OF TENINO, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON AND MILES SAND & GRAVEL COMPANY, A CORPORATION OF THE STATE OF WASHINGTON
REGARDING: CLASS A RECLAIMED WATER
RECORDED: August 08, 2007
AUDITOR'S FILE NO.: [3949159](#)
6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: PUGET SOUND ENERGY INC., A WASHINGTON CORPORATION
PURPOSE: TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY
RECORDED: September 26, 2008
AUDITOR'S FILE NO.: [4037400](#)
AREA AFFECTED: SAID PREMISES
7. NOTICE TO FUTURE PROPERTY OWNERS, AS RECORDED DECEMBER 17, 2009 UNDER AUDITOR'S FILE NO. [4127045](#).
8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: TENINO TELEPHONE COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF WASHINGTON, ITS SUCCESSORS AND ASSIGNS
PURPOSE: INSTALLATION, REPAIR, MAINTENANCE, REPLACEMENT AND OPERATION OF TELECOMMUNICATION FACILITIES
RECORDED: October 15, 2020
AUDITOR'S FILE NO.: [4792137](#)
AREA AFFECTED: SAID PREMISES
9. PARAGRAPHS A THROUGH K UNDER GENERAL EXCEPTIONS HEREIN ARE DELETED FOR THE EXTENDED COVERAGE LOAN POLICY.

END OF SCHEDULE B - SECTION II SPECIAL EXCEPTIONS

Commitment No. : TH31028

NOTES:

a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

16402 OLD HWY 99 SE
TENINO, WA 98589

b. ACCORDING TO THE RECORDS OF THURSTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.:	126-25-130103
LAND:	\$402,000.00
IMPROVEMENTS:	\$726,900.00
TOTAL:	\$1,128,900.00

c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

LOT B BLA-06-114384TC

d. THERE ARE NO CONVEYANCES AFFECTING SAID PREMISES RECORDED WITHIN THE LAST 24 MONTHS.

THE LAST RECORDED TRANSFER OR AGREEMENT TO TRANSFER THE LAND DESCRIBED HEREIN IS AS FOLLOWS:

INSTRUMENT:	STATUTORY WARRANTY DEED
GRANTOR:	MILES SAND AND GRAVEL COMPANY, A WASHINGTON CORPORATION
GRANTEE:	CITY OF TENINO
RECORDED:	August 08, 2007
AUDITOR'S FILE NO.:	3949158

END OF SCHEDULE B- SECTION II NOTES



Authorized Signature

vlb



FACTS	WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?
-------	---

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

Questions	Go to www.oldrepublictitle.com (Contact Us)
-----------	---

Attachment 5

Commitment No. : TH31028

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit http://www.OldRepublicTitle.com/newnational/Contact/privacy .
How does Old Republic Title collect my personal information?	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> • Give us your contact information or show your driver’s license • Show your government-issued ID or provide your mortgage information • Make a wire transfer <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can’t I limit all sharing?	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> • Sharing for affiliates’ everyday business purposes - information about your creditworthiness • Affiliates from using your information to market to you • Sharing for non-affiliates to market to you <p>State laws and individual companies may give you additional rights to limit sharing. See the "Other important information" section below for your rights under state law.</p>

Definitions	
Affiliates	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> • <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys’ Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.</i>
Non-affiliates	<p>Companies not related by common ownership or control. They can be financial and non-financial companies.</p> <ul style="list-style-type: none"> • <i>Old Republic Title does not share with non-affiliates so they can market to you</i>
Joint marketing	<p>A formal agreement between non-affiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> • <i>Old Republic Title doesn’t jointly market.</i>

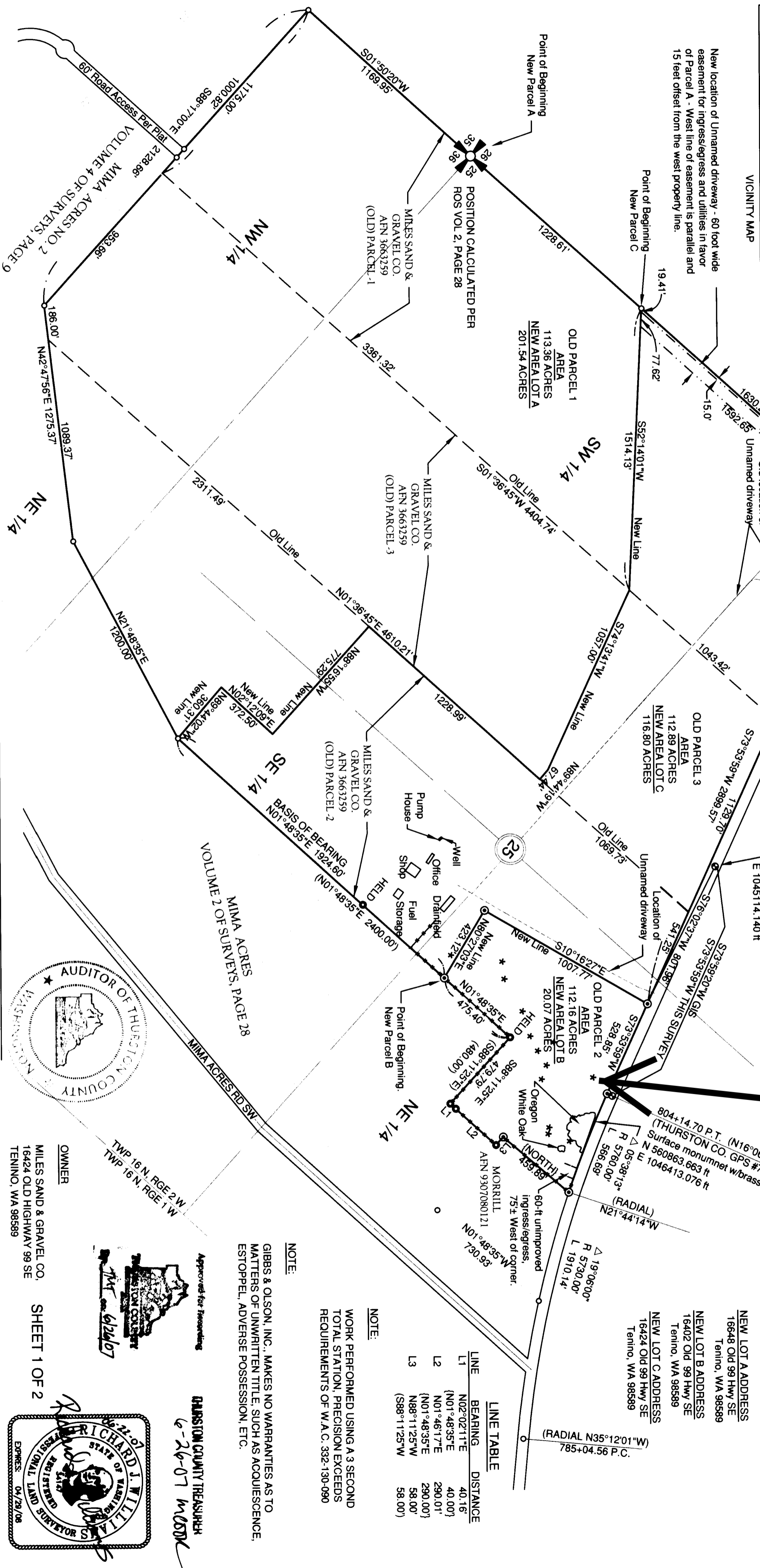
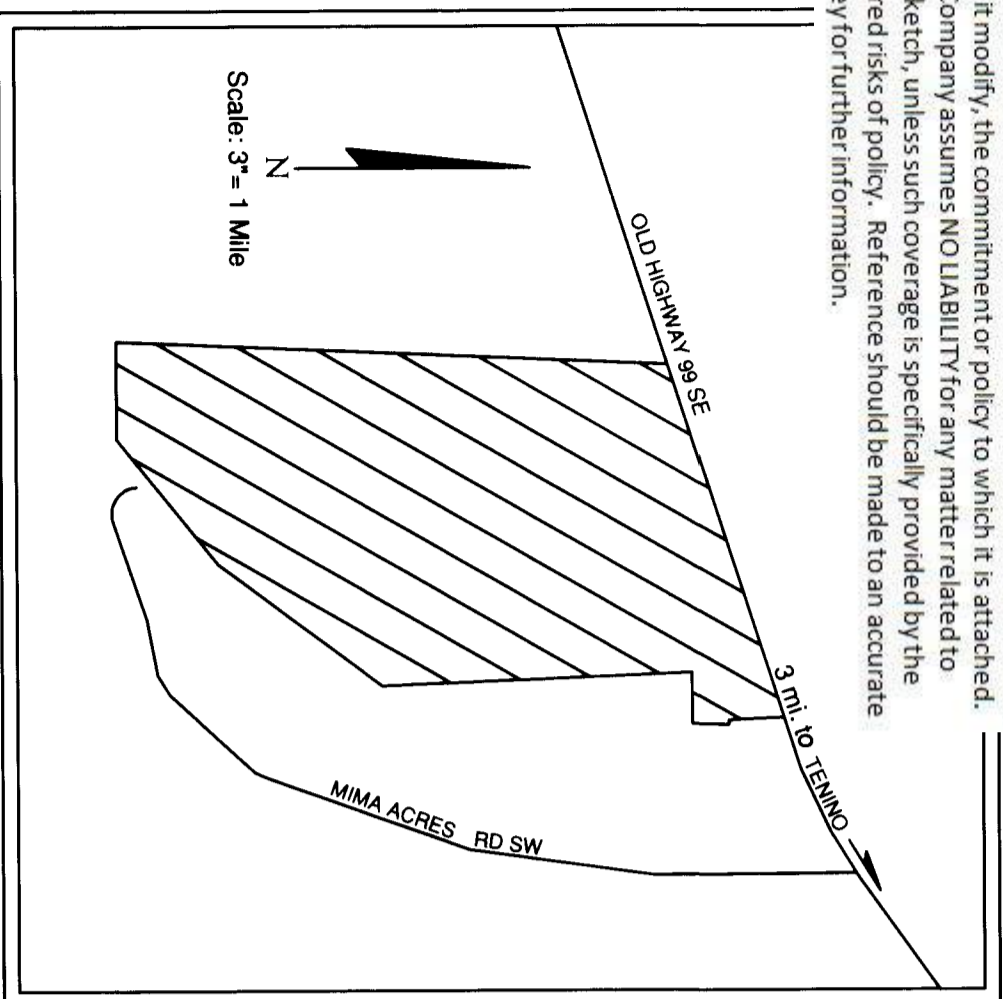
Other Important Information
<p>Oregon residents only: We are providing you this notice under state law. We may share your personal information (described on page one) obtained from you or others with non-affiliate service providers with whom we contract, such as notaries and delivery services, in order to process your transactions. You may see what personal information we have collected about you in connection with your transaction (other than personal information related to a claim or legal proceeding). To see your information, please click on "Contact Us" at www.oldrepublictitle.com and submit your written request to the Legal Department. You may see and copy the information at our office or ask us to mail you a copy for a reasonable fee. If you think any information is wrong, you may submit a written request online to correct or delete it. We will let you know what actions we take. If you do not agree with our actions, you may send us a statement.</p>

Affiliates Who May be Delivering This Notice				
American First Abstract, LLC	American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.
eRecording Partners Network, LLC	Genesis Abstract, LLC	Kansas City Management Group, LLC	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mara Escrow Company	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Exchange Company	Old Republic National Title Insurance Company	Old Republic Title and Escrow of Hawaii, Ltd.
Old Republic Title Co.	Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma
Old Republic Title Company of Oregon	Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.
Old Republic Title, Ltd.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	The Title Company of North Carolina	Title Services, LLC
Trident Land Transfer Company, LLC				

BLA 3937839



This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property, including, but not limited to, area, dimensions, easements, encroachments, or locations of boundaries. It is not a part of, nor does it modify, the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch, unless such coverage is specifically provided by the survey for further information.



POSITION CALCULATED PER
ROS VOL. 2, PAGE 28



BOUNDARY LINE ADJUSTMENT
A PORTION OF SECTIONS 25 AND 36,
TOWNSHIP 16 NORTH, RANGE 2 WEST, W.M.
BLA 06 114384 TC

NARRATIVE:

THE PURPOSE OF THIS SURVEY (BLA) IS TO MONUMENT AND ADJUST THE EXISTING BOUNDARY BETWEEN PARCEL 1 AND PARCEL 3 AS DESCRIBED AND RECORDED UNDER THURSTON COUNTY AUDITOR'S FILE NO. 3663259. THE BOUNDARY BETWEEN PARCEL 2 AND PARCEL 3 IS ADJUSTED TO MATCH THE CITY OF TENINO'S URBAN GROWTH AREA BOUNDARY. PARCELS 1, 2 AND 3 AS DESCRIBED UNDER AUDITOR'S FILE NO. 3663259 ARE RENAMED A, B AND C, RESPECTIVELY ON THIS SURVEY.

POSITION CALCULATED PER
ROS VOL. 2, PAGE 28



LEGEND

- ⊙ Set 5/8" rebar with plastic cap (Gibbs & Olson, Williams 34147)
- Found 3" Brass Disc surface monument
- 3/4" Iron pipe with washer (LS 10785) unless otherwise noted
- Calculated point, not found or set
- () ROS, Vol. 2, page 28
- () Deed, bearing and distance
- ROS Record of Survey
- AFN Auditor's File No.
- * White Aster population
- Existing fence

SCALE OF BEARING:

N01°48'35"E ALONG THE WESTERLY LINE OF MIMA ACRES, VOLUME 2 OF SURVEYS, PAGE 28, BETWEEN THE NORTHWEST CORNER OF LOT 3 AND THE SOUTHWEST CORNER OF LOT 8.

Scale: 1" = 400'



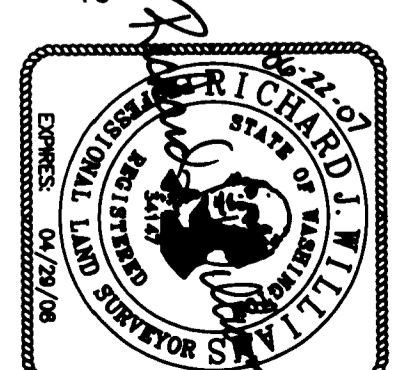
LINE	BEARING	DISTANCE
L1	N02°02'11"E	40.16'
L2	N01°48'35"E	40.00'
L3	N01°46'17"E	290.01'
	N01°48'35"E	290.00'
	N88°11'25"W	58.00'
	(S88°11'25"W	58.00')

NOTE:
WORK PERFORMED USING A 3 SECOND TOTAL STATION, PRECISION EXCEEDS REQUIREMENTS OF W.A.C. 332-130-090

NOTE:
GIBBS & OLSON, INC., MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE, SUCH AS ACQUIESCENCE, ESTOPPEL, ADVERSE POSSESSION, ETC.



OWNER
MILES SAND & GRAVEL CO.
16424 OLD HIGHWAY 99 SE
TENINO, WA 98589



GIBBS & OLSON INC.
Engineers • Planners • Surveyors
LONG VIEW WASHINGTON

Boundary Line Adjustment Survey for
THE CITY OF TENINO
PORTIONS OF SECTIONS 25 & 26
TOWNSHIP 16 NORTH, RANGE 2 WEST, W.M.
THURSTON COUNTY, WASHINGTON

SURVEYOR'S CERTIFICATE
AS SHOWN, THIS MAP REPRESENTS AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, FILED AT THE REQUEST OF MILES SAND & GRAVEL CO.
Richard Williams
34147 0715.3704
LICENSE NO. FILE NO.

AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS 22th DAY OF June, 2007
AT THE REQUEST OF GIBBS & OLSON, INC.
AUDITOR'S FILE NO. 3937839
Deputy Auditor

BLA 3937839

1/2



SUPPLEMENTAL NO. 1
to
PRELIMINARY COMMITMENT
Issued By Thurston County Title Company
acting as agent for
Old Republic National Title Insurance Company

Order No.: TH31028
Escrow Officer:
Title Officer: Alex Mathews

Ref:
CITY OF TENINO
Property Address: **16402 OLD HWY 99 SE**
TENINO, WA 98589

This Supplemental is made a part of said Commitment including any prior Supplemental, and is subject to the schedules, terms and provisions and the conditions and stipulations therein, except as modified by the provisions hereof:

ATTENTION: This Supplemental contains changes which impact title to the property set forth in the above referenced commitment.

Eliminate Paragraph 1 on Schedule B - Section II.

Add Paragraph 10 to Schedule B - Section II, as follows:

10. UNRECORDED LEASEHOLDS, IF ANY; RIGHTS OF VENDORS AND HOLDERS OF A SECURITY INTEREST ON PERSONAL PROPERTY INSTALLED UPON THE LAND; AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF THE TERM.

Add Note e to Schedule B - Section II, as follows:

e. GENERAL TAXES FOR 2021 IN THE SUM OF \$15.66, ARE PAID IN FULL. TAX ACCOUNT NO. 126-25-130103. (AREA CODE 530, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.) (SAID TAXES REFLECT A GOVERNMENT PROPERTY EXEMPTION)

Effective Date: June 22, 2021 at 8:00 a.m.

Authorized Signature

kj