

**City of Castle Rock, WA**  
**Proposed Mixed Use Master Planned Development**  
**Castle Rock Landing on the Cowlitz**  
**Notice of Modifications to the Mitigated Determination of Non-Significance**  
**September 8, 2021**

On July 30<sup>th</sup>, 2021, the City of Castle Rock, Washington issued an MDNS for a proposed master plan to guide the development of approximately 118-acres zoned Industrial, generally located at the southern end of Castle Rock between the BNSF rail line and Salmon Creek to the east, the Cowlitz River to the west, and the Timberline Church to the north. In accordance with the provisions of the City's regulations governing Master Planned Developments (CRMC 17.100), it is proposed that the project will include the following light industrial, commercial, multi-family residential, and recreational uses in a business park setting:

- 624,000 SF of light industrial and flex/office space on 58.7-acres.
- 98,000 SF of retail and commercial/professional services on 11-acres.
- 200 multi-family residential units on 7.8-acres.
- Recreational uses include a 200-unit RV park, as well as a rustic boat/kayak launch, public shoreline access, and recreational trails on 18-acres.

The project will also include the preservation of 8.2-acres of shorelines and critical areas as well the extension of a water main, fill and grading, onsite water and sewer system improvements, construction of internal streets, installation of storm water management facilities, and limited improvements to Larsen Lane. It is also anticipated that there will be improvements to Huntington Avenue S.

The mitigating measures identified by the City included provisions intended to avoid, minimize, and mitigate potential adverse impacts associated with the phased implementation of this project over time. This included a provision that a SEPA Checklist be submitted with each application to implement another phase of the master planned development. As a result of comments received by the City, including the Washington State Department of Archaeology and Historic Preservation, the Cowlitz Indian Tribe, and the Castle Rock Hearings Examiner, the City has modified the mitigating measures in the MDNS to read as shown below. The intent of these revisions is to promote joint consultation by the Project Sponsor and the City with the Cowlitz Indian Tribe, to more clearly require a cultural and archaeological survey, to clarify the conditions of use of Larsen Lane SW for emergency and limited construction access, and to provide the Hearing Examiner and City Council with a degree of flexibility in finalizing potential conditions of approval while providing appropriate environmental protections. For example, the City has identified the current protocols for responding to inadvertent discoveries of cultural artifacts but has invited the Cowlitz Indian Tribe to review and suggest revisions to update these protocols and it is not the intent of the City to interfere with this consultation process.

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As a result, the City is including the following modified mitigating measures as an Appendix to the proposed Master Site Plan to be used as the basis for establishing and implementing the Conditions of Master Site Plan approval:

- 1. A SEPA Checklist will be submitted with the application to implement each phase of the approved master plan.
  - a. The City may require additional mitigation and/or conditions of approval based on an analysis of these subsequent environmental documents.**
- 2. All subsequent project specific development activities shall comply with the applicable provisions of the Castle Rock Municipal Code unless modified by these conditions of approval.*
- 3. There shall be no net loss of function or value of wetlands, streams, or rivers and associated habitats.
  - a. A Critical Areas Report shall be submitted for all development activities that may impact environmentally sensitive areas on or near the site and a Critical Areas Permit or similar authorization shall be required for all non-exempt development activities.*
  - b. All critical areas and their buffers shall be delineated and placed in an open space tract.*
  - c. All development activities within 200' of a river or stream and their associated wetlands under the jurisdiction of the Washington State Shoreline Management Act shall comply with the provisions of the Castle Rock Shoreline Master Program.**
- 4. All development activities shall comply with the City Flood Hazard Prevention regulations including the elevation of buildings at least one foot above base flood elevations.*
- 5. Prior to the initiation of any clearing and grading activities the Project Sponsor shall submit for City review and approval a Master Clearing, Fill, and Grading Plan that is integrated with a Master Stormwater Management Plan that includes an analysis of the impacts of the development to the adjacent properties and measures to ensure that stormwater or flood waters will not adversely affect*

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*neighboring properties.*

6. *The primary route of ingress and egress shall be from Huntington Avenue South and a new access road in the immediate vicinity of the existing Timberlake Church access road. All access roads in this corridor shall be designed, built, and improved to City industrial road standards, except as modified by the Conditions of Master Plan approval, provided that:*
  - a. *With each application to implement a phase of development, the Project Sponsor shall submit an updated traffic report that identifies the number of trips to be generated, assesses existing conditions, identifies proposed mitigation measures to meet City standards, and that identifies when such mitigation measures are required.*
  
7. *Larsen Lane SW is a public right-of-way and in its existing condition the use of Larsen Lane SW to access the Master Planned Development shall be limited to:*
  - a. *Emergency ingress and egress, provided that:*
    - (1) *The Project Sponsor shall be responsible for the design and construction of such improvements to Larsen Lane SW within the existing right-of-way from the site of the Master Planned Development to the intersection with Huntington Avenue South that may be required by the City to maintain emergency access to the Master Planned Development in accordance with the provisions of the International Fire Code as implemented and adopted by the City.*
    - (2) *It is understood by the parties that if the required emergency access cannot be provided within the existing right-of-way that a different route for emergency access may be required.*
  - b. *Interim access by the Project Sponsor, and their employees, subcontractors, and suppliers pending the construction of a temporary access road at the primary access point from Huntington Avenue near the church driveway, provided that:*

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- (1) The Project Sponsor shall provide the City with documentation of the existing condition of Larsen Lane SW and shall be responsible for the repair of any damages to the roadway during this interim period.*
  - (2) The City will require a bond or financial guarantee sufficient to restore Larsen Lane SW in its sole discretion.*
  - (3) The Project Sponsor shall design and construct, subject to City review and approval, a temporary access road at the primary point of access from Huntington Avenue near the church driveway no later than June 30, 2022, provided that this deadline may be extended with cause by the City.*
  - (4) The City will make a good faith effort to expedite the review and approval of this temporary access road.*
- 8. The City may install reasonable measures to prevent the use of Larsen Lane SW to access the Master Planned Development. This may include, but is not limited to, signage, a gate or bollards with a lock box, and a cul-de-sac or turnaround for vehicles attempting to enter the Master Planned Development.*
- 9. The Project Sponsor may propose to use Larsen Lane SW to provide a second access route to the Master Planned Development if such is required in accordance with local, state, or federal standards. The Project Sponsor shall be responsible for the design, acquisition of right-of-way, and construction of any required improvements to Larsen Lane SW including the intersection with Huntington Avenue South in accordance with City standards. The proposed design and use of these improvements shall be subject to environmental review and mitigation.*
- 10. The Project Sponsor shall prepare and submit with the first implementing application a Conceptual Master Plan to guide the development and use of pedestrian and bicycle facilities, parks, and open spaces open to the public. This Conceptual Master Plan shall include, but is not limited:*
- a. The standards for the development of trails, sidewalks, bike paths and lanes.*
  - b. Potential areas to view and access shorelines.*
  - c. Areas to be maintained by a private management entity, homeowner's*

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*association, or the like.*

- d. Areas proposed for dedication and maintenance by the City or other public agency, if any.*
- 11. The Project Sponsor shall be responsible for the design, construction, and maintenance of such improvements as may be required to connect to the City water system, unless otherwise agreed to by the parties. All new development shall be connected to the City water system, provided that plans for a separate irrigation system may be submitted for City review and approval.*
- 12. The Project Sponsor shall be responsible for the design, construction, and maintenance of such improvements as may be required to connect to the City sewer system, unless otherwise agreed to by the parties.*
- 13. The City and the Project Sponsor shall jointly consult with the Cowlitz Indian Tribe to determine the scope of a cultural and archaeological survey that shall be conducted prior to initiating any clearing, grading, filling, or excavation activities.*
  - a. Upon discovery of any human remains, artifacts, or evidence of potential archaeological, historical, or cultural resources all construction activities or uses authorized shall be suspended pending authorization to proceed from the City, and/or the Washington State Department of Archaeology and Historic Preservation, in accordance with the provisions of state and federal law, including, but not limited to RCWs 68.50.645, 27.44.055, and 68.60.055.*
  - b. If ground disturbing activities encounter human skeletal remains during construction, then all activity shall cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the Washington State Department of Archaeology and Historic Preservation (DAHP) provides notice to proceed. The finding of human skeletal remains shall be reported to the Castle Rock Police Department and the Cowlitz County Coroner in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The County Coroner will assume jurisdiction over the human skeletal remains and decide of whether those remains are forensic or non-forensic. If the County Coroner determines the remains are non-forensic, then they will report that*

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*finding to the Department of Archaeology and Historic Preservation who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the Cowlitz Indian Tribe. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.*

- c. If ground disturbing activities encounter artifacts, or evidence of potential archaeological, historical, or cultural resources during construction, then all activity shall cease that may cause further disturbance to those items. The Project Sponsor shall immediately contact the Castle Rock Public Works Department to determine how best to secure the site and to consult with the Cowlitz Indian Tribe and the DAHP.*

A copy of the application materials, the SEPA Checklist, the SEPA Threshold Determination, the required mitigating measures, and the Staff Report may be reviewed online at the City's website [ci.castle-rock.wa.us](http://ci.castle-rock.wa.us). These documents are also available for review at Castle Rock City Hall, but due to COVID 19 restrictions, possibly by appointment only. It is anticipated the Castle Rock Hearings Examiner will issue a recommendation to the City Council in September and that the City Council will take action at a subsequent meeting(s) to approve, deny, or approve with conditions the proposed Master Site Plan. A Notice of Decision will be mailed to agencies and Parties of Record to these proceedings.

# City of Castle Rock

PO Box 370  
Castle Rock, WA 98611  
(360) 274-8181



## MEMORANDUM

Date: July 29, 2022

From: Carie Cuttonaro, Clerk-Treasurer

To: Marty Snell, Planning Services Manager, MacKay Sposito

RE: Castle Rock Landing on the Cowlitz – SEPA Determination

Please be advised that the City of Castle Rock or it's planning consultants have not received an appeal of the SEPA determination for the Castle Rock Landing on the Cowlitz Master Planned Mixed Use Development.