

**CITY OF PORT TOWNSEND  
SEPA RESPONSIBLE OFFICIAL'S  
MITIGATED DETERMINATION OF NON-SIGNIFICANCE**

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**Date of Issuance:** May 7, 2025  
**Lead Agency:** City of Port Townsend, Planning and Community Development Department  
**File Reference:** ☐ LUP24-016 – SEPA File; HPC23-014 – Design Review Approval; DEM24-004 – Demolition Permit, SDP24-030 – Site Development Permit, BLD24-016 – Building Permit.

**Applicant:** Nirvair LLC  
905 20<sup>th</sup> Street  
Anacortes, WA 98221

**Agent:** Nirvair LLC  
905 20<sup>th</sup> Street  
Anacortes, WA 98221

**Location:** 1136 Water Street, Port Townsend Washington, Tax ID **989703802**

The City of Port Townsend has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030. The necessary mitigation measures are listed below, the Environmental Checklist is attached and is available at: <https://cityofpt.us/planning-community-development/page/now-accepting-public-comments>

This MDNS is issued under 197-11-350; and the comment period will end after 15 days on May 22, 2025. *This determination is based on the following findings and conclusions:*

*The City of Port Townsend finds this project meets the determination of an MDNS after scoping of the SEPA process and receiving and reviewing comments from agencies and citizens and the revisions and additional supportive materials provided to the City in response to request for revisions. The following mitigations are required to be met as part of this decision.*

**Required Mitigation:**

1. Applicants must submit construction staging plan(s) and have them approved by Planning, Building and Engineering divisions prior to issuance of demolition permit, street development, or building permit.
2. Applicant shall follow the report dated 5/24/24, and the addendum dated 12/4/24 for the Geologic Hazard Assessment signed, stamped and dated by Licensed Engineering Geologist Geoff Malick, L.E.G., M.Sc. with the Stratum Group.
3. Applicants must follow all conditions and criteria required from the HPC Review under file HPC23-014 and specifically note the one below regarding the formation of a parking and business improvement district.

- a. Per #11 of Decision, "... city code specifically exempts properties in the C-III zone from all parking requirements. To qualify for the parking exemption, the owner must sign & record a No Protest Agreement to the formation of a Parking and Business Improvement District."
4. 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 fill.
5. All debris removed 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.
6. In addition to any required asbestos abatement procedures, the applicant shall ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. It is important that these materials and waste(s) are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.
7. Due to the proximity of nearby underground storage tanks, the City will require a contaminated media management plan (CMMP) prior to issuance of breaking ground.
8. 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 storm drains that lead to waters of the state. Discharges must not cause or contribute to a violation of surface water quality standards, groundwater quality standards, sediment management standards, and human health-based criteria. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered pollutants.
9. If there are known soil/ground water contaminants present on site, additional information will be required to be submitted. For contaminated construction sites, contact Evan Wood at [evan.wood@ecy.wa.gov](mailto:evan.wood@ecy.wa.gov), or by phone at (360) 706-4599.

**Contact & Responsible Official:**

Emma Bolin, AICP  
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250 Madison Street, Suite 3  
Port Townsend, WA 98368  
(360) 344-3041

**Signature:** \_\_\_\_\_

Emma Bolin, Director  
City of Port Townsend PCD