|  |  |
| --- | --- |
| **Subject:** | Mitigated Determination of Non-Significance (MDNS) |
| **Program Name:** | Legislative Campus Modernization (LCM) Project |
| **Description of Proposal:** | The LCM Program involves a set of subprojects, including the removal and replacement of the Newhouse Building, rehabilitation, and expansion of the Pritchard Building, and an interior renovation of the O’Brien Building’s third and fourth floors. The Newhouse Building Replacement subproject includes the removal of the Press House structures (Ayer Duplex and Carlyon House). The LCM Global subproject includes:   * Removing the Visitor Center. * Replacing the existing parking lot with reconfigured parking layouts on the east half of Opportunity Site 6. * Temporary closure of Water Street SW, limiting access to staff vehicles only.   Upon completion of the Pritchard and O’Brien projects, permanent closure of this block of Water Street SW will be implemented with traffic diverters, landscape features, sidewalks, Americans with Disabilities Act (ADA) crosswalks, and bicycle access.  Because this proposal is not associated with a specific development proposal, it is being reviewed as a Non-project Action under the State Environmental Policy Act (SEPA) requirements. All specific proposals will be required to apply for project-specific permits and meet all current regulations at the time of application. |
| **Location of Proposal:** | Washington State Capitol Campus |
| **Proponent:** | Clarissa Easton, AIA, Project Director  Legislative Campus Modernization Project  Department of Enterprise Services  c: 360.701.0088  e: clarissa.easton@des.wa.gov |
| **SEPA Responsible Official:** | John Lyons, AIA, Assistant Program Manager - Planning  Planning and Project Delivery  Department of Enterprise Services  c: 360.628.2139  e: john.lyons@des.wa.gov |
| **SEPA Issuance:** | August 19th, 2022 |

**1.0 SEPA Threshold Determination**

The lead agency for this proposal has determined that with the mitigation measures identified herein, the proposal does not have a probable significant adverse environmental 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(2)(c).

This Mitigated Determination of Nonsignificance (MDNS) is issued under WAC 197-11-350; the lead agency will not act on this proposal for 30-days from the date of issue. If conditions are added, deleted, or modified during the 30-day review period, a modified MDNS will be issued.

* 1. **Analysis**

The following describes the analysis conducted to determine if the proposal will likely result in*probable significant adverse environmental impacts*. This decision was made after a review of the completed environmental checklist, as well as the following documents:

* Transportation Technical Report for the Legislative Campus Modernization, Heffron Transportation, Inc., April 2022
* Cultural Resources Technical Memorandum, ICF, April 2022
* Newhouse Building Replacement, Existing Newhouse Building Salvage Inventory, Miller Hull, March 2022
* Geotechnical Engineering Report, Newhouse Building Replacement, State Capitol Campus, Olympia, WA, Shannon & Wilson, March 2022
* Legislative Campus Modernization Predesign Report, Addendum: Pritchard Rehabilitation/Expansion Validation Study, March 2022
* WA State – Legislative Campus Modernization Archaeology Services, Newhouse Building Geotechnical Monitoring (Revised), ICF, February 2022
* Initial Regulated Building Material Survey, Irving R. Newhouse Senate Building, PacRim, January 2022 • State Environmental Protection Act Checklist, Legislative Campus Modernization Modular Building, January 2022
* Limited Asbestos Survey, Irving R. Newhouse Senate Building, PacRim, January 2022 • Preliminary Arborist Report, Capitol Campus – Newhouse Building and Surrounding Area, Tree Solutions, Inc., November 2021
* State of Washington DES Legislative Campus Modernization (LCM) Project Cultural Resources Inadvertent Discovery Plan, Department of Enterprise Services, October 22, 2021
* Limited Hazardous Materials Survey Report, Ayer House (Formerly AP Building), PBS Environmental, July 2021
* Limited Hazardous Materials Survey Report, Carlyon House (formerly Shumaker Building), PBS Environmental, July 2021
* Legislative Campus Modernization Predesign Report, State of Washington Department of Enterprise Services, February 2021
* Phase 1 Environmental Assessment, included in Predesign Report, PBS, August 2020 • Preliminary Geotechnical Engineering Recommendations, included in Predesign Report, Shannon & Wilson, September 2020
* Limited Indoor Air Quality Assessment Report, Irving R. Newhouse Building, PBS, November 2019 • Next Century Capitol Campus Predesign Report, Department of Enterprise Services, November 2019
* State Capitol Development Study, Opportunity Sites 1, 5, 6 & 12, Schacht Aslani Architects and Mithun, 2017
* State of Washington Capitol Campus Transportation and Parking Study Final Report, Rick Williams Consulting, September 2014
* Pritchard Building Indoor Air Quality Office Areas Report, EMLab P&K, October 2013
* Historic Structure Report, P.H. & Edna Carlyon House, ARG Architects, June 2011
* Historic Structure Report, Louise Hanson Duplex, ARG Architects, June 2011
* Capitol Campus Slopes Instrumentation and Monitoring Program, Golder Associates, April 2011 • Hillside Evaluation and Preliminary Design Olympia Capitol Campus, Golder Associates, March 2010
* West Capitol Campus Historic Landscape Preservation Master Plan, Mithun, June 2009 • Master Plan for the Capitol of the State of Washington, State of Washington General Administration, 2006 found at https://des.wa.gov/services/facilities-leasing/capitolcampus/ capitol-masterplan
* Historic American Building Survey, Highway Building (Newhouse Building), Artifacts, June 2004
* Historic Structures Report, Washington State Library (Joel M. Pritchard Building), Artifacts, August 2002
* Asbestos Survey Report, Institutions Building (#15), PBS Environmental, April 1995
* Asbestos Survey Report, A.P. Building (#98), PBS Environmental, April 1995
* Asbestos Survey Report, Shumaker Building (#94), PBS Environmental, April 1995
* Indoor Air Quality Study of State Library, Abacus Consultants, June 1993
* Capitol Campus, City of Olympia Parking Agreement, April 1984
  + 1. **Elements of the Environment**

***Earth***

The LCM Program subprojects are not anticipated to result in any direct impacts on soil conditions.

Across the subprojects, there is an expected net reduction in impervious surfaces. A Stormwater Pollution Prevention Plan consistent with the Department of Ecology's Stormwater Management Manual for Western Washington will be developed and implemented during the construction of each subproject.

Erosion across the subprojects is expected to be minimal and typical for these specific soil conditions (Skipopa silt loam and Yelm sandy loam). Any potential erosion that may occur will be managed using Temporary Erosion and Sediment Control Best Management Practices, which include covered stockpiles, mulching bare areas, etc., during construction.

Following the construction of each subproject, permanent erosion control measures will include new buildings, site paving, and landscaping. If vegetation is cleared on the steep slope west of the Pritchard building, the disturbed area will be restored using native vegetation.

The steepest slope across the subprojects is west of the Pritchard Building, which is about 110 feet high and inclined from about 60 percent to 67 percent in the upper 100 feet to less than 17 percent at the lower part of the slope just above Capitol Lake. The area along the west side of the existing basement under the north half of the existing floor plan (called "North Bar" with reading room) will require hillside stabilization.

No further mitigation required.

***Air***

During construction, impacts on air quality are expected to be typical for projects of this scale. Construction equipment emissions will be controlled using Best Management Practices and adhere to applicable regulations and construction practices to reduce air quality impacts as specified by the Olympic Regional Clean Air Agency. The project proponent (DES) will require the design and construction team to employ Best Management Practices to manage dust, exhaust emission control from diesel-powered fleets, and regular equipment inspections and maintenance.

The completed projects will incorporate state-of-the-art building systems and align with all State of Washington energy requirements.

No further mitigation required.

***Water***

None of the proposed subprojects are within 200FT of any surface water body or the FEMA-defined 100-year floodplain.

Regarding stormwater management: The proposal will not alter or affect the drainage patterns in the vicinity of the site. Under the developed condition, stormwater runoff from each subproject will be managed within the existing dedicated stormwater system on the West Campus.

The Newhouse and LCM Global subprojects propose a stormwater detention facility (or facilities, to be determined) to control peak runoff flows from the site; the existing drainage system in the West Campus has a capacity issue. The stormwater detention will mitigate stormwater overflow in major storm events.

The Pritchard subproject will utilize Low Impact Development measures to the maximum extent feasible to reduce stormwater runoff.

No further mitigation required.

***Plants***

No threatened nor endangered plant species are known to be on or near the site. The large Douglas fir located at the southwest corner of the existing Newhouse Building will be protected during construction and preserved during proposed demolition/deconstruction and construction activities.

The large bigleaf maple along 16th Avenue SW, near the Pritchard Building, is to be retained and protected in place and should be assessed by an arborist to determine the potential impact of nearby construction and any measures needed to mitigate those impacts.

Invasive species such as English ivy and Himalayan blackberry will be removed from the steep slope area near the Pritchard Building by hand to minimize disturbance and maintain the stability of the slope. Native vegetation could be removed during the rehabilitation of the Pritchard Building, depending on plans for equipment staging.

Other plants, such as the five young street trees planted along Water Street SW and 15th Avenue SW, east of the Pritchard Building, will be assessed by an arborist to determine if it is feasible to remove and transplant them on the site or elsewhere on campus.

Plants to be removed across the subprojects include:

* Three existing dogwoods at the intersection of 15th Ave SW and Water St SW
* Existing understory vegetation, shrubs, and lawn within the project boundary

New plantings include:

* Street trees and understory plantings will be added along 16th Avenue SW and Water Street SW, between the Capitol Campus and South Capitol Neighborhood.
* Native plantings will be added along the top of the slope on the southwest side of the Pritchard site.
* Where appropriate, evergreens and native understory vegetation will be used to create a landscape character that extends the original Olmsted landscape legacy to the southern edge of the West Campus.

More specific landscaping information will be provided in each project-specific SEPA checklist.

No further mitigation required.

***Animals***

There are no known invasive animal species on or near the project sites. Moreover, no threatened or endangered species are on or near the sites.

There are no anticipated impacts on wildlife due to this proposal.

No further mitigation required.

***Energy and Natural Resources***

ESSB 6248 Section 1027 Chapter 356, Laws of 2020 requires the project to be net-zero-energy ready and to have an energy use intensity no greater than 35. Each building will comply with both requirements and include rooftop solar panels that will generate a portion of the renewable energy needed to meet the Net-Zero Energy requirement.

These measures will substantially reduce energy consumption compared to the code-required baseline and reduce carbon emissions.

Energy conservation features for all buildings will be finalized during the design phase of each project phase and discussed in the project-specific SEPA checklists.

No further mitigation required.

***Environmental Health***

No known hazardous chemicals/conditions might affect the projects within this program.

Likewise, environmental health hazards are not anticipated within this program. Trained and licensed contractors will remove lead-based paint and asbestos-containing building materials before demolition and rehabilitation or renovation activities that could disturb those materials.

Regarding noise: there will be short-term noise from the drilling of support shafts and heavy equipment used during demolition and construction activities. Construction noise will be limited to regular working hours. The exact hours and duration of construction will be determined at the design phase for each building and will be discussed in the project-specific SEPA checklists prepared for project work. No long-term changes in noise will occur from the completed projects.

Construction noise shall be controlled per DES Design Guidelines & Construction Standards and comply with the city noise ordinance.

Post-construction noise would be the same as the current conditions. DES will discuss additional potential noise mitigation measures during the design phase of each project, where necessary.

No further mitigation required.

***Land and Shoreline Use***

The program sites are located on the West Campus, a part of the Capitol Campus used for legislative and judicial activities of the state. Properties adjacent to the Project site contain parking structures, public parks, commercial buildings, government offices, and residential areas such as the South Capitol Neighborhood Historic District. The proposal will not affect these land uses. Capitol Lake is to the west/northwest of the program site and will not be affected by the program.

The program sites have not been used for working farmlands or forest lands since at least 1893, when the original Capitol Building foundation was completed.

The LCM Program will conform to and reference the Master Plan for the Capitol of the State of Washington (2006) and the 2009 West Capitol Campus Historic Landscape Preservation Master Plan.

***Housing***

No impacts on housing are proposed.

No further mitigation required.

***Aesthetics***

To control aesthetic impacts, the LCM Program was developed in alignment with the Master Plan for the Capitol of the State of Washington (2006). Specifically, the following design elements will be incorporated into the Program:

**Newhouse Building:** An inventory of the Newhouse Building materials was conducted by Miller Hull (March 2022) and provided information on the existing building's materials, furniture, and fixtures and made recommendations on what materials and fixtures could be reused for the construction of the replaced Newhouse Building. The design will be sympathetic to historic architecture in materiality and façade relief, respecting the existing master plan with the main entry facing north. Specific design measures will be addressed during the design phase of the replacement Newhouse Building.

**Pritchard Building:** While the proposed building addition will alter the view of the West Capitol Group from the south, the expansion will retain and rehabilitate the most valuable portion of the historic Pritchard Building. Landscape improvements will enhance the environment and soften the transition from the Capitol Campus into the South Capitol Neighborhood.

The visual impact of the three-story Pritchard expansion will be softened with multi-layers of new landscaping along the transitional zone along 16th Avenue SW.

No further mitigation required.

***Light and Glare***

Specific lighting details will be determined at each subproject design phase and will be addressed in project-specific checklists. There is a potential for new glazing to cause solar glare during certain times of day and year. Artificial illumination and glazing reflectivity associated with the project proposal are not expected to pose safety hazards or interfere with views.

All buildings will have interior illumination that will be turned off during unoccupied hours, as the Washington State Energy Code requires. Luminaires will be selected and positioned to avoid visible glare. Glazing reflectivity from windows will be studied and addressed, if necessary, during the design phase.

The Program’s subprojects will reduce glare caused by car headlights by removing a large portion of surface parking visible from the residential area. The remaining surface parking, sidewalks, and building entries will be illuminated for pedestrian safety while utilizing luminaires with full light cutoff. Solar panels that will likely be incorporated into the program and placed on the building roofs will not be visible from the nearby residential properties to the south.

No further mitigation required.

***Recreation***

The following recreation opportunities are in the immediate vicinity: Stevens Field, Wildwood Glen Park, Watershed Park, Olympia Woodland Trail, Heritage Park, and Centennial Park are located within 1 mile of the LCM Program site. The Capitol Campus is a popular destination for pedestrians and bicyclists.

Permanent impacts on recreation are not anticipated. Therefore, no measures are proposed to reduce or control impacts. LCM Program work will include pedestrian routes, bicycle paths, and bicycle storage.

Pedestrian and bicycle routes will be closed intermittently during construction. To assure public safety, it is also likely that the pedestrian bridge located near the Visitor Center will be closed intermittently during adjacent sitework.

No further mitigation required.

***Historic and cultural preservation***

The LCM Program study area contains nine individual historic buildings, one historic district that either are eligible for or listed in the NRHP, as well as one unevaluated property of historic age. Of the nine historic buildings, five are part of the LCM Program.

The Program will impact four buildings and the historic district sufficiently enough to require mitigation. This analysis also noted that the Program has the potential to cause impacts to the historic setting of the South Capitol Neighborhood Historic District located directly south of the study area.

Measures to compensate for the loss of the Newhouse Building and Press House structures and for changes to the Pritchard Building will be developed in consultation with stakeholders, including DAHP and other interested parties, and resolved through a Memorandum of Agreement, pending project-specific SEPA review.

Mitigation measures for the demolition of these buildings are being developed in three categories:

**Related to Physical Buildings**

* Further study for possible relocation of Press House structures;
* Use high-resolution photo-documentation of building facades; and
* Design and plan for salvage, reuse, and recycling of select building materials.

**Related to Site History and Context**

* Develop landscape plans that protect and extend the Olmsted legacy;
* Incorporate interpretive signage and public art; and
* Offer educational info featuring Indigenous history and activities on the sites.

**Related to Social and Cultural History and Context**

* Create supplement to Newhouse Historic Structure Report and additional material on Elizabeth Ayer; and
* Capture an oral history through interviews with Press Corps members (“Stories from the Press Houses”) that is easily accessible to the public and widely disseminated.

A review of the available ethnographic literature reveals that while no documented traditionally named places appear to be located within the LCM study area, three named places are in the vicinity (Hilbert, et al. 2001).

Archaeological monitoring of geotechnical investigations for the various subprojects will be used to assess the potential for encountering as-yet undocumented archaeological resources.

If any archaeological materials are encountered during Project construction, DES will follow the State of Washington DES Legislative Campus Modernization (LCM) Project Cultural Resources Inadvertent Discovery Plan (October 22, 2021), which includes procedures for consultation with affected tribal governments.

Further mitigation required. See section *2.0 Mitigation Requirements.*

***Transportation***

Detailed traffic and parking analysis was performed to assess the cumulative impacts of the LCM subprojects. This analysis is presented in the Transportation Technical Report for the Legislative Campus Modernization Program (Heffron Transportation, Inc., April 2022).

Major impacts identified in this report include:

* The Pritchard Building project proposes eliminating the existing parking lot access driveways on Water Street SW and focusing all access from 15th Avenue SW west of Water Street SW. The east end of that street and the adjacent Cherberg parking lot would be reconfigured to provide this access and enhance pedestrian connections.
* The Newhouse Building Replacement project would have a secured parking lot located south of the new building with one access driveway on Columbia Street SW. The reconfigured parking lot on the Visitor Center site is planned to have three driveways to retain a continuous walkway through that site between the Capitol Way South Pedestrian Bridge and Columbia Street SW.

Regarding parking: Parking in the vicinity of the Newhouse Building is expected to increase by 22 stalls. Parking in the vicinity of the Pritchard Building may decrease by up to 87 stalls due to the reconfiguration of the parking lot south of the Cherberg Building to improve pedestrian access.

The net result of the LCM Program subprojects is expected to reduce parking in the West Campus area by 57 to 65 parking stalls. More information is available in the Legislative Campus Modernization Transportation Technical Report prepared by Heffron Transportation (February 2022).

The LCM Program is expected to accommodate the same number of legislators and staff who already work in this area and is not expected to increase visitor trips. Detailed analysis presented in the Transportation Technical Report showed that ample parking capacity is available elsewhere on the Capitol Campus, the largest supply of which is within the Plaza Garage just east of Capitol Way South from the LCM Program site. The available parking supply would accommodate both the LCM Program's long-term demand and short-term parking needs during construction.

No further mitigation required.

***Public Services***

The LCM Program is not anticipated to result in an increased need for public services.

The subproject design teams will work with the Fire Marshall to understand and follow all requirements for fire protection and site access as the site is redeveloped.

No further mitigation required.

***Utilities***

The following utility needs will be proposed for the LCM Program:

* Water services for domestic use and the building fire sprinkler system will be provided by the City of Olympia from a water main in an adjacent street (likely Sid Snyder Avenue SW) to the buildings.
* The city will provide a sanitary sewer to convey and discharge sanitary sewer from the proposed building to the sewer main in Sid Snyder Avenue SW.
* Puget Sound Energy provides electricity and natural gas.
* The city provides stormwater management.
* Refuse is handled by B&G Custodial.
* Xfinity/Comcast and Century Link service telecommunications.

No further mitigation required.

**2.0 Mitigation Requirements**

To fully address cumulative impacts to existing cultural and historical resources caused by the overall implementation of the LCM Program, both non-project and project-specific, DES will consider mitigation measures that include, but are not limited to, developing expanded, recorded oral histories of the campus; expanding self-guided walking tours and associated guide materials; design and installation of interpretive signage that emphasize historic and cultural resources of the Capitol Campus; training for Capitol Campus tour docents; and community events to celebrate the historic significance of the Legislative Campus.

DES will work with program stakeholders, interested parties, and jurisdictional agencies to ensure that mitigation measures to preserve the history of the Capitol Campus are considered.

**3.0 Public Comment**

The responsible official will reconsider the MDNS based on timely comments and may retain, modify, or withdraw the MDNS if significant adverse impacts are likely. If the MDNS is retained, it will be final after the expiration of the comment deadline. Comments may be submitted to DESSEPA@des.wa.gov.

**4.0 Appeals**

Anyone wishing to appeal the final SEPA determination by the Lead Agency may submit an appeal within the 30-day appellate period outlined in WAC 200-10; or may proceed with an appeal under RCW 43.21C.075