



File Name: 2015-005-SMP (Kays Subdivision Outfall)

Date Published: June 11, 2015

Attached is an environmental determination of Non-Significance and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) rules (WAC 197-11). The enclosed review comments reflect evaluation of the environmental checklist by the lead agency as required by WAC 197-11. You may comment on this determination within fourteen (14) days of the DNS publication date of May 28, 2014. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends June 25, 2015.**

Please address any correspondence to: Mayor James T. Irish
ATTN: SEPA COMMENTS – Kays SMP
305 NW Pacific Highway
214 E 4th Street
La Center, WA 98629

DISTRIBUTION:

Federal Agencies: National Marine Fisheries, PRD Division
US Army Corps of Engineers, Regulatory Functions
US Dept of Agriculture, Conservation Service
US Fish & Wildlife Service, Ridgefield, WA
US Fish & Wildlife Service, Portland, OR
US Forest Service, Vancouver, WA

Native American Interests: Confederated Tribes of the Grande Ronde
Cowlitz Tribe, Longview, WA

State Agencies: Dept of Commerce
Dept of Corrections
Dept of Ecology, SEPA/GMA Coordinator
Dept of Fish & Wildlife, Region 5
Dept of Natural Resources, SEPA Center
Dept of Social & Health Services
Dept of Transportation, Environmental Services
Dept of Transportation, SW Region
Office of Archaeology & Historic Preservation
Washington Parks & Recreation Commission

Local Agencies: City of Battle Ground
City of Camas
City of Ridgefield
City of Vancouver
City of Washougal

Clark County, Board of Commissioners
Clark County, Dept of Community Development
Clark County, Dept of Health
Clark County, Dept of Parks & Recreation
Clark County, Dept of Public Works
Town of Yacolt

School Districts: La Center (WA) School District
Ridgefield (WA) School District

Special Purpose Agencies: Clark Public Utilities
Columbia River Economic Development Council
C-TRAN
Lower Columbia Fish Recovery Board
Puget Sound Water Quality
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council

Libraries: Fort Vancouver Regional Library, La Center

Fire Districts: Clark County Fire Marshal
Clark County Fire & Rescue

Media: The (Battle Ground) Reflector
The (Vancouver) Columbian
The (Portland) Oregonian

Other Interested Parties: Audubon Society, Vancouver
Cascade Design Inc.
Clark County Natural Resources Council
H Lee & Associates
NW Natural
Qwest Communications
TDS Telecom
The Resource Co.
Vancouver Wildlife League
Wallis Engineering



DETERMINATION OF NON-SIGNIFICANCE (DNS)

Kays Subdivision Stormwater Outfall

(File # 2015-005-SMP – Shoreline Substantial Development/Conditional Use, Critical Areas, and SEPA.)

Description of proposal: Construct an underground stormwater line from the southern terminus of West G Street, across adjacent property to the south, then southwest (downhill) within the West 5th Street right-of-way to the East Fork of the Lewis River. The lower 200 feet of the underground stormwater line is within the La Center Shoreline Urban Conservancy jurisdiction. The outfall will be located within the river. The pipeline will cross Oregon white oak forest, steep slopes and a Category IV wetland near the shoreline. An archeological investigation concluded there are no cultural resources within 1.6 acre project site.

Proponent: Kevin Grosz, The Resource Company, 915 Broadway, Ste. 250, Vancouver, WA 98660.
360.693.4555, kevin@trc-inc.org.

Location of proposal, including street address, if any: West edge of West 5th Street downslope to the East Fork of the Lewis River; NW ¼ Section 3 T4NR1E; 45.861594N, -122.678931W.

Lead agency: City of La Center

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: **June 24, 2015**

The City will conduct a Public Hearing on the matter on **July 1, 2015, beginning at 7:00 PM** at La Center City Hall, 205 W 4th Street, La Center, WA. The public is welcome to testify in writing and in person.

Responsible Official: James T. Irish
Position/Title: Mayor
Address: RE: SEPA COMMENTS – Kays SMP
305 NW Pacific Highway
214 E 4th Street
La Center, WA 98629

Date: 06/11/2015 Signature: James T. Irish

The staff contact person and telephone number for any questions on this review is Eric Eisemann, City Planning Consultant, (360) 750-0038. e.eisemann@e2landuse.com



ENVIRONMENTAL CHECKLIST (WAC 197-11-960)

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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.

Use of checklist for nonproject proposals:

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal.

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Kays Subdivision, Stormwater Outfall
2. Name of applicant:
WARAC,LLC, Jerry Nutter
3. Address and phone number of applicant and contact person:
7211 A NE 43rd Avenue, Vancouver,WA 98661
4. Date checklist prepared:
13 MAR 15
5. Agency requesting checklist:
City of La Center, Washington
6. Proposed timing or schedule (including phasing, if applicable):
Summer of 2015
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
ESA Biological Assessment, Wetland Delineation & Mitigation, Habitat Assessment & Mitigation, Geologic Hazardous Areas Report Floodplain Report
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.
Engineering with the City
10. List any government approvals or permits that will be needed for your proposal, if known.
Corps of Engineers Section 404 & 10 permits, WDFW - HPA, City Shorelines including critical areas
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. (Lead agencies may modify this form to include additional specific information on project description.) The project includes the stormwater outfall pipe from the Kays Subdivision which is proposed for 37 lots. The pipeline will exit the project cross private property and traverse through the City's Right-of-Way for W. 5th Street. Stormwater will outfall into the East Fork of the Lewis River
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.
Right-of-Way for W. 5th Street down to the East Fork of the Lewis River. NW1/4, Sect. 3, T4N, R1E, Clark County, Washington
Vicinity Map attached.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, **steep slopes**, mountainous, other.....

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

30

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 prime farmland.

Hillsboro silt loam

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known within the project area

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No filling or grading proposed. The trench dug for the outfall pipe will be restored to preconstruction contours.

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

Yes, erosion could occur during installation of the stormwater pipe due to the steep slopes in portions of the project area.

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

None, the pipe will be buried within the shoreline area.

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

Erosion control BMP's that meet the City's Erosion Control requirements will be employed. Once the project has been completed the construction area will be planted with native ground cover to control erosion.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Emissions from construction equipment during the excavation and installation of the pipeline. None once the project has been completed.

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

None known

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

None

3. Water

a. Surface:

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.

Yes, the East Fork of the Lewis River and a small wetland along the bench above the river.

- 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.

Yes, the stormwater pipe be installed within 200 feet of the East Fork Lewis River and in the river,

- 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.

The stormwater pipe will cross a small wetland at the base of the hill, however, once installation of the pipe is completed, this area will be restored.

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

No

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

Yes

- 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, just stormwater that has been pretreated on the project site

b. Ground:

- 1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

- 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 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.

None

c. Water runoff (including storm water):

- 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.

N/A

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

No

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

Erosion control BMP's

4. Plants

- a. Check or circle 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
 - Wet soil plants: Cattail, buttercup, bullrush, skunk cabbage, other
 - Water plants: Water lily, eelgrass, milfoil, other
 - Other types of vegetation
- b. What kind and amount of vegetation will be removed or altered?
Grassland, shrubs and small trees, these areas will be restored and replanted once the pipe installation is completed
- c. List threatened or endangered species known to be on or near the site.
None known
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
The shoreline area on the bench above the stream will be planted with native trees and shrubs as enhancement for the temporary impacts within the riparian zone

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:
- Birds: Hawk, heron, eagle, songbirds, other: _____
- Mammals: Deer, bear, elk, beaver, other: coyote _____
- Fish: Bass, salmon, trout, herring, shellfish, other: _____
- b. List any threatened or endangered species known to be on or near the site.
Bull Trout, Chum, Coho, Steelhead, Chinook
- c. Is the site part of a migration route? If so, explain.
Yes, it is part of the Pacific Flyway, which is a major migratory bird route
- d. Proposed measures to preserve or enhance wildlife, if any:
Native plantings on the shoreline of the East Fork

6. Energy and natural resources

- 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.
None
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No
- 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:
None

7. Environmental health

- 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.

No

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

None

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

None

b. Noise

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

Construction equipment noise during the installation of the pipe. None once the project has been completed.

- 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.

Typical construction equipment noise from 8 am to 5 pm

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

None

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Pasture/Forestland

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

None within the project area

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

No

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

No zoning, City right-of-way

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

City Right-of-Way

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

Urban Conservancy

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Yes, WDFW has designated portions of the area a Riparian Habitat Conservation Area and Non-Riparian Habitat Conservation Area
- i. Approximately how many people would reside or work in the completed project?
None
- j. Approximately how many people would the completed project?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
None

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
None
- c. Proposed measures to reduce or control housing impacts, if any:
None

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
This is a pipeline that will be placed at the ground surface or will be underground
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts, if any:
None

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
None
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No
- c. What existing offsite sources of light or glare may affect your proposal?
None

- d. Proposed measures to reduce or control light and glare impacts, if any:
None

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Fishing, canoeing, kayaking
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
No
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None
- c. Proposed measures to reduce or control impacts, if any:
None

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
None
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No
- c. How many parking spaces would the completed project have? How many would the project eliminate?
None
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
No
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
None

g. Proposed measures to reduce or control transportation impacts, if any:
None

15. Public services

a. Would the project result in an increased need for public services (for example: Fire protection, police protection, health care, schools, other)? If so, generally describe.
No

b. Proposed measures to reduce or control direct impacts on public services, if any.
None

16. Utilities

a. Circle utilities currently available at the site: Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
None

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.
None

C. SIGNATURE

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: Kevin L. Grosz Date Submitted: 5/4/15

D. SUPPLEMENTAL SHEET FOR NONPROJECT 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, flood plains, 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.