



**NOTICE OF APPLICATION
AND LIKELY SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE
Asa's View Subdivision Type III Preliminary Plat, Variance, Critical Areas Permit, and SEPA
(File # 2022-022-SUB/ SEPA/CAR/LLD/VAR/TRE)**

Description of proposal: The applicant proposes to subdivide the 16.47-acre site located at 2313 NE Lockwood Creek Road (Parcels 209064000 & 209121000) into 68 lots for single-family detached residences. A public road system would serve the development connecting to NE Lockwood Creek Road. A stub road will be provided to the south at NE 23rd Avenue for future connectivity. Tract B of the development would be a 0.25-acre park. Lots within the development would range in size from 7,500 square feet to 10,201 square feet. The applicant is requesting a variance application for ten substandard lot widths as required by LCMC 18.130.080. The request also includes two critical areas permits for fish and wildlife habitat conservation areas for impacts to the Oregon white oak on the site and geologically hazardous areas due the site classification as Site Class D for ground shaking amplification.

Likely SEPA DNS: NOTICE IS HEREBY GIVEN that, an application has been submitted as noted below and based on a review of that application, the City of La Center expects to issue a Mitigated Determination of Non-Significance (MDNS) for this proposal pursuant to the "Optional DNS process" allowed by State Law (WAC 197-11-355) and the La Center Municipal Code (LCMC 18.310). A copy of the determination may be requested now and will be mailed when available. Comments received within the deadline, will be considered in the review of the proposal and the State Environmental Policy Act (SEPA) environmental checklist. ***This may be the only opportunity to comment on the environmental impacts of the proposal and no additional comment period will be provided, unless probable significant environmental impacts are identified during the review process, which would require additional study or special mitigation.*** The proposal may include mitigation under applicable codes, and the project review process may incorporate or require mitigation measures.

Any person has the right to comment on this application, receive notice of and participate in any hearings, request a copy of the decision once made, and appeal the final SEPA determination of the project. **Written comments submitted by 5:00 PM on October 14, 2022 will be considered in the application and final SEPA determination.** Please send comments to the City of La Center, Community Development, 210 E 4th Street, La Center, WA 98629 or by email to Jessica Nash, Permit Technician, at jnash@ci.lacenter.wa.us

Application: Asa's View Subdivision Type III Preliminary Plat, Variance, Critical Areas Permit, SEPA, and Tree Cutting Permit (File # 2022-022-SUB/SEPA/CAR/LLD/VAR/TRE)

Application date: May 12, 2022

Technically Complete: September 30, 2022

Proponent/applicant: Representative: Shawn Ellis, NW Consillo LLC, 2410 NE 22nd Avenue, Portland, OR 97212. Applicant: Troy Johns, 1004 W. 13th Street, Suite 220, Vancouver, WA 98660.

Property owner: William Roskowski, Gravitate Capital LLC, 13563 NW Fuller Lane, Portland, OR 97229.

Location of proposal: 2313 NE Lockwood Creek Road, La Center, WA 98629 (Parcel No. 209064000 & 209121000).

Public Hearing: A public hearing is required and will be scheduled at a later date. A separate notice will be provided at least 14 days in advance of the public hearing.

Existing Environmental Documents relied upon: SEPA requires that a review of the potential environmental impacts be conducted. City staff and interested agencies will review the proposal for compliance with applicable state requirements and city codes. Through this process, a determination will be made as noted under the following statement of determination.

The following environmental documents were relied upon in the City's assessment of a likely determination of non-significance: SEPA Environmental Checklist dated, March 15, 2022; Narrative (NW Consillo LLC, September 2022); Preliminary Technical Information Report (NW Consillo LLC, May 2022); Geotechnical Site Investigation (Soil and Water Technologies, Inc., May 2022); Traffic Analysis Report (Kelly Engineering, February 2022); Clark County Archaeological Predetermination Survey for the Asa's View Subdivision Project Area (March 17, 2022); Critical Areas Report (Environmental Technology Consultants, June 17, 2022 and August 24, 2022); and Asa's View Subdivision Plans (NW Consillo LLC).

Statement of Determination: As lead agency under the State Environmental Policy Act (SEPA) rules [Chapter 197-11, Washington Administrative Code] the City of La Center must determine if there are potential significant adverse environmental impacts associated with this proposal. The options include the following:

- Determination of Significance – (DS). The impact cannot be mitigated and therefore requires the preparation of an Environmental Impact Statement (EIS).
- Mitigated Determination of Nonsignificance – (MDNS). The impact can be mitigated through conditions of approval, or;
- Determination of Nonsignificance – (DNS). The impacts can be addressed by applying the city codes.

Approval Standards/Applicable Laws: The following standards will apply to the application: 18.30 Procedures; 18.130 Low Density Residential; 18.147 Parks and Open Space; 18.200 General Provisions; 18.210 Subdivision Provisions; 18.225 Legal Lot Determinations; 18.230 Monumentation, Survey, and Drafting Standards; 18.240 Mitigation of Adverse Impacts; 18.245 Supplementary Development Standards; 18.260 Variances; 18.280 Off-Street Parking and Loading Requirements; 18.282 Outdoor Lighting; 18.300 Critical Areas; 18.310 Environmental Policy; 18.320 Stormwater and Erosion Control; 18.340 Native Plant List; 18.350 Tree Protection; 18.360 Archaeological Resource Protection.

Mitigation Measures: The applicant will be required to comply with all applicable approval standards and laws in addition to the following project-specific mitigation measures:

- Earth: The applicant must comply with the design recommendations of the geotechnical site investigation by Soil and Water Technologies, Inc. dated May 2022.
- Air: The applicant is required to sprinkle the site with water during construction to reduce dust.
- Water: The applicant must comply with the recommendations of the critical areas report (Environmental Technology Consultants, June 17, 2022).
- Water: The applicant must comply with the recommendations of the Preliminary Technical Information Report dated May, 2022.
- Water: The applicant must use approved erosion control best management practices during construction.
- Plants: The applicant shall retain the on-site priority habitat Oregon White oak with protection measures as provided by Environmental Technology Consultants dated August 24, 2022. Any impacts to the tree shall be mitigated as required by LCMC 18.300.090(2)(i, j, and k). The applicant shall also plant street trees spaced 30-feet on center, and plant landscaping as required by LCMC 18.245.
- Environmental Health: The applicant shall comply with approved construction hours as required by the City of La Center.
- Light and Glare: The applicant shall comply with the requirements of LCMC 18.282 (Outdoor Lighting).
- Recreation: The applicant shall comply with LCMC 18.147 (Parks and Open Space).
- Recreation: The applicant is required to pay park impact fees prior to issuance of building permits.
- Historic and cultural preservation: In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100' buffer; this number may vary by circumstance) must stop and the following actions taken:
 - Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;

- Take reasonable steps to ensure confidentiality of the discovery site; and,
- Take reasonable steps to restrict access to the site of discovery.

The applicant shall notify the concerned Tribes and all appropriate county, city, state, and federal agencies, including the Washington Department of Archaeology and Historic Preservation and the City of La Center. The agencies and Tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the applicant regarding actions to be taken and disposition of material. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be Native, consultation with the affected Tribes will take place in order to mitigate the final disposition of said remains.


See the Revised Code of Washington, Chapter 27.53, "Archaeological Sites and Resources," for applicable state laws and statutes. See also Washington State Executive Order 05-05, "Archaeological and Cultural Resources." Additional state and federal law(s) may also apply.

Copies of the above inadvertent discovery language shall be retained on-site while project activity is underway.

Contact	Information
Cowlitz Indian Tribe, Nathan Reynolds, Interim Cultural Resources Manager	Phone: 360-575-6226; email: nreynolds@cowlitz.org
City of La Center, Bryan Kast, Public Works Director	Phone: 360-263-2889; email: bkast@ci.lacenter.wa.us
Office of the Clark County Medical Examiner (for human remains)	Phone: 564-397-8405; email: medical.examiner@clark.wa.gov
Washington DAHP, Dr. Allison Brooks, Ph.D, Director	Phone: 360-586-3066; email: Allyson.Brooks@dahp.wa.gov

- Transportation: The applicant shall comply with the recommendations of the Traffic Analysis Report (Kelly Engineering, February 2022).
- Transportation: The applicant is required to pay transportation impact fees prior to issuance of building permits.
- Utilities: The applicant is required to pay sewer system development charges prior to issuance of building permits.

Responsible Official: Bryan Kast, Public Works Director

Date: 9/30/22 Signature: 

Issued: September 30, 2022



File Name: Asa's View Subdivision Type III Preliminary Plat, Type I Variance, Critical Areas Permit, SEPA and Tree Cutting Permit (File # 2022-0022-SUB/SEPA/CAR/LLD/VAR/TRE)

Date Published: September 30, 2022

Attached is a likely SEPA environmental Mitigated Determination of Non-Significance (MDNS) and associated environmental checklist issued pursuant to the State Environmental Policy Act (SEPA) rules (WAC 197-11). The City (lead agency) completed evaluation of the environmental checklist as required by WAC 197-11. You may comment on this likely determination within fourteen (14) days of the issuance of this notice September 30, 2022. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends October 14, 2022.**

Please address any correspondence to: Jessica Nash, Permit Technician
ATTN: SEPA COMMENTS – Asa's View Subdivision
c/o 305 NW Pacific Highway
La Center, WA 98629

DISTRIBUTION:

Federal Agencies: National Marine Fisheries, PRD Division (Mail)
Forest Service, US Department of Agriculture, WA (Email)
US Army Corps of Engineers, Regulatory Functions (Mail)

Native American Interests: Confederated Tribes of the Grande Ronde (Mail)
Cowlitz Tribe, Longview, WA (Email)
Yakama Nation (Email)

State Agencies: Dept of Ecology (Email)
Dept of Health, Office of Drinking Water (Email)
Dept of Commerce (Email)
Dept of Fish & Wildlife, Region 5 (Email)
Dept of Natural Resources, SEPA Center (Email)
Dept of Transportation, Environmental Services (Email)
Dept of Transportation, SW Region (Email)
Department of Archaeology & Historic Preservation (Email)
Washington Parks & Recreation Commission (Email)

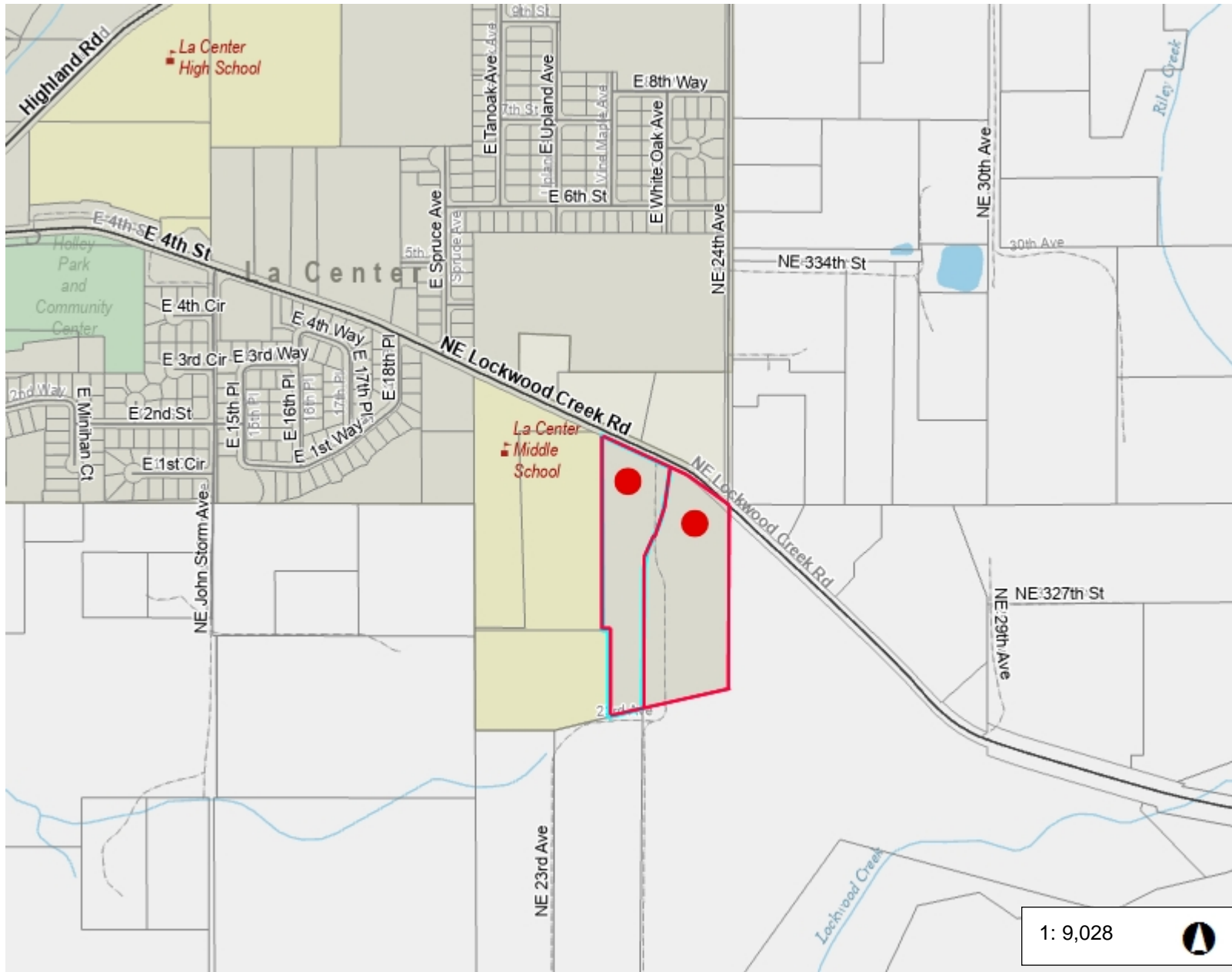
Local Agencies: Clark County, Dept of Community Development (Email)
Clark County, Dept of Health (Email)
Clark County, Dept of Parks & Recreation (Mail)
Clark County, Dept of Public Works (Email)
Clark County Sheriff (Email)
Clark County Fire and Rescue (Email)
City of Vancouver, Dept of Parks & Recreation (Email)
City of Vancouver
City of Camas, Community Development (Email)
Town of Yacolt (Email)
City of Ridgefield (Email)
La Center Community Library (Mail)
La Center Police Department (Email)

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

Special Purpose Agencies:
Clark Public Utilities (Email)
Columbia River Economic Development Council (Email)
Lower Columbia Fish Recovery Board (Email)
C-TRAN (Email)
Southwest Clean Air Agency (Email)
Southwest Washington Regional Transportation (Email)
Council Clark Regional Wastewater District (Email)
Vancouver Wildlife League (Mail)
NW Natural (Mail)
TDS Telecom (Mail)
Century Link (Email)
Washington State Department of Corrections (email)



Parcels: 209121000 & 209064000



Legend

- Taxlots
- All Roads**
 - Interstate
 - State Route
 - Arterial
 - Forest Arterial
 - Minor Collector
 - Forest Collector
 - Private or Other

Notes:

1: 9,028

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

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