



SEPA DETERMINATION OF NON-SIGNIFICANCE

City of La Center Federal Emergency Management Agency (FEMA) Updates (File # 2023-027-ZON/SEPA)

Description of proposal: The City of La Center is updating its code provisions pertaining to its Critical Areas Ordinance (CAO) for frequently flooded areas (LCMC 18.300.090[3]) per Federal Emergency Management Agency (FEMA) requirements under the National Flood Insurance Program (NFIP). The purpose of the code update is to be compliant with FEMA and Title 44 Code of Federal Standards (CFR) Sections 59.1, 60.3, and 65.12. Compliance with these requirements ensures that property owners can continue to obtain flood insurance if their properties are located in frequently flooded areas which are the FEMA mapped Special Flood Hazard Areas. The code updates include:

- Amending critical areas definitions (LCMC 18.300.030) to include new definitions and amend existing definitions as mandated by FEMA.
- Amending LCMC 18.300.090(3) for the permitting and/or prohibiting of the storage of materials and equipment in frequently flooded areas.
- Amending LCMC 18.300.090(3) to adopt by reference the updated Federal Insurance Rate Map (FIRM) panel that goes into effect November 2, 2023, with additions of area along the lower reaches of Brezee Creek.
- Amending the responsibilities of the local administrator to include receiving certification for floodway encroachments, records of all variance actions, and improvement and damage calculations and notifying based flood elevation changes to the Federal Insurance Administrator within six months of receiving information and data on such change.
- Amending conditions for variances of historic structures in frequently flooded areas upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the variance is the least necessary to preserve the historic character and design of the structure.
- Adopt provisions to prohibit the storage and equipment of specific materials that could be injurious or harm human, animal, or plant life if released due to damage from flooding in frequently flooded areas. Otherwise, storage and equipment may be allowed if not subject to damage by floods and firmly anchored or readily removable within the time available after flood warning.
- Adopt provisions to allow development in the floodway with certain requirements, including requiring the applicant to apply for a Conditional Letter of Map Revision (CLOMR) with FEMA.

Any person has the right to comment on this SEPA DNS, receive notice of and participate in any hearings, and appeal the final decision on the code amendment. Written comments submitted by September 12, 2023, at 5:00 PM will be considered. Please send comments to the City of La Center, 210 E. 4th Street, La Center, WA 98629 or by email to the City Clerk at clerk@ci.lacenter.wa.us.

Application: City of La Center FEMA Updates (File # 2023-027-ZON/SEPA)

Proponent/applicant: City of La Center, contact: Ethan Spoo, Consulting Planner, 210 E 4th Street, La Center, WA 98629. Phone: (360) 263-7665.

Location of proposal: The update will apply to frequently flooded areas with FEMA FIRMs within the City's boundaries. These areas include the East Fork Lewis River and the lower reaches of Brezee Creek. The updated FIRMs specifically update mapping along the lower reaches of Brezee Creek.

Public Hearing: La Center Planning Commission public hearing, September 12, 2023, at 6:30 p.m. Meeting will be conducted in person at City Hall at 210 E. 4th Street and virtually using the City's GoToMeeting online platform. A separate public hearing notice will be issued

Existing Environmental Documents relied upon: The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts be conducted. City staff reviewed the proposal for compliance with applicable state requirements and city codes.

The following environmental documents were relied upon in the City's determination of a DNS: SEPA Environmental Checklist dated, August 28, 2023. A complete copy of the code amendments and the SEPA Checklist associated with this determination are available by contacting the City Clerk at 360-263-7665.

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.

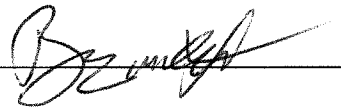
Approval Standards/Applicable Laws: LCMC 18.30.110 (Type IV Process); LCMC 18.120.050 (Approval Criteria); LCMC 18.300 (Critical Areas) and CFR 59.1, 60.3, and 65.12.

Mitigation Measures: The review of the SEPA checklist associated with this proposed code amendment did not recommend any mitigation measures.

Responsible Official: Bryan Kast, Public Works Director

Date: August 29, 2023

Signature:



Issued: August 29, 2023



File Name: City of La Center Frequently Flooded Areas Code Updates (File # 2023-027-ZON/SEPA)

Date Published: August 29, 2023

Attached is a SEPA environmental Determination of Non-Significance (DNS) 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 determination within fourteen (14) days of the issuance of this notice August 29, 2023. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends September 12, 2022.**

Please address any correspondence to: City Clerk
ATTN: SEPA COMMENTS – FEMA Updates
210 East 4th Street
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)
Federal Emergency Management Agency, FEMA (Email)

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)
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