



**NOTICE OF APPLICATION
AND LIKELY SEPA AMENDED DETERMINATION OF NON-SIGNIFICANCE
Kays Subdivision Type II Post Decision Review/Amended SEPA
(File # 2021-013-PDR/SEPA)**

Description of proposal: The applicant originally received preliminary subdivision approval in 2008 for a 37-lot subdivision. At the time, the applicant was proposing to impact Wetland A for construction of a road (W Golden Eagle Drive) and mitigate for impacts onsite by enhancing Wetland B. The applicant now proposes to mitigate offsite by purchasing wetland mitigation credits from the East Fork Lewis River Mitigation Bank. Because the original State Environmental Policy Act (SEPA) determination of non-significance (DNS) proposed mitigation onsite, a SEPA amendment is necessary.

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 an amended Determination of Non-Significance (DNS) 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 June 1, 2021 will be considered in the application and amended SEPA determination.** Please send comments to the City of La Center, Community Development, 305 NW Pacific Highway, La Center, WA 98629 or by email to Sarah Dollar, Permit Technician, at sdollar@ci.lacenter.wa.us

Application: Kays Subdivision Type II Post Decision Review/SEPA (File # 2021-013-PDR/SEPA)

Application date: April 20, 2021

Technically Complete: May 14, 2021

Proponent/applicant: Jerry Nutter, WARAC LLC, 7211 NE 43rd Avenue, Vancouver, WA 98661

Property owner: Same as applicant

Location of proposal: No site address. Parcel 986046-012.

Public Hearing: Not applicable. A public hearing is not required for this project.

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, April 9, 2021; Kay's Subdivision Wetland Mitigation – Revised dated September 5, 2016.

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 require 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: La Center Municipal Code Title 18 (Development Code) including 18.030 (Procedures); 18.130 Low Density Residential District; 18.300 (Critical Areas); 18.310 (Environmental Policy).

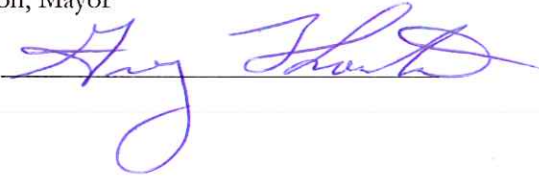
Mitigation Measures: The applicant will be required to comply with all applicable approval standards and laws in addition to the following project-specific mitigation measures:

- Water: The applicant shall comply with all recommendations of the Kay's Subdivision Wetland Mitigation – Revised plan dated September 5, 2016.
- Water: Prior to construction of the road in the wetland, the applicant shall purchase wetland credits from the East Fork Lewis River Mitigation Bank and shall provide evidence of the purchase to the City.
- Water: The applicant is required to obtain all state and federal permits prior to impacting wetlands.

Responsible Official: Greg Thornton, Mayor

Date: 5-17-21

Signature:



Issued: May 18, 2021



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Date Published: May 18, 2021

Attached is a likely amended 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 likely determination within fourteen (14) days of the issuance of this notice May 17, 2021. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends June 1, 2021.**

Please address any correspondence to: Sarah Dollar, Community Development Technician
ATTN: SEPA COMMENTS – Kays Subdivision Post Decision Review
c/o 305 NW Pacific Highway
La Center, WA 98629

DISTRIBUTION:

Federal Agencies: National Marine Fisheries, PRD Division (Mail)
US Army Corps of Engineers, Regulatory Functions (Mail)

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

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)
Office of Archaeology & Historic Preservation (Email)
Washington Parks & Recreation Commission (Email)

Local Agencies: City of Ridgefield (Email)
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
Clark County Fire and Rescue
Town of Yacolt (Email)
La Center Police Department

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

Special Purpose Agencies: Clark Public Utilities (Email)
Columbia River Economic Development Council (Email)
C-TRAN (Email)

Lower Columbia Fish Recovery Board
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council
Clark Regional Wastewater District

Libraries: Fort Vancouver Regional Library, La Center (Mail)

Fire Districts: Clark County Fire & Rescue

Media: The Columbian

Other Interested Parties: Audubon Society, Vancouver (Mail)
Clark County Natural Resources Council (Email)
NW Natural (Mail)
Vancouver Wildlife League (Mail)