



STATE ENVIRONMENTAL POLICY ACT (SEPA) MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Lockwood Meadows Subdivision Type III Preliminary Plat, Variance, and SEPA (File # 2022-004-SUB/VAR/SEPA)

Description of proposal: The applicant proposes to subdivide the 20-acre site located at 2000 NE Lockwood Creek Road (Parcel 209113000) into 71 lots for single-family detached residences. A public road system would serve the development connecting to existing street stubs to the north and west in the Country Hills Estates development and to the east from NE 24th Avenue. Tract B of the development would be a 0.46-acre park. Lots within the development would range in size from 6,000 square feet to 10,682 square feet. The applicant is proposing to use the density transfer provisions to preserve the wetland and buffer area within Tract C and reduce five lots below the minimum lot size of 7,500 square feet. The applicant is also requesting a variance application to increase the maximum building coverage from 35 percent to 50 percent and the maximum impervious surface area from 50 percent to 65 percent for each lot.

SEPA Determination: NOTICE IS HEREBY GIVEN that the City makes the following findings and conclusions based upon a review of the environmental checklist; other information on file with the City of La Center and other public agencies; and the policies, and regulations designated by the City as a basis for the exercise of substantive authority under the Washington State Environmental Policy ACT (SEPA) pursuant to Chapter 43.21C WAC. Based on a review of the updated code, the City of La Center hereby issues a **Mitigated Determination of Non-Significance (MDNS)** for this proposal pursuant to WAC 197-11-340 and the La Center Municipal Code (LCMC 18.310). An Environmental Impact Statement is not required under RCW 43.21c.031(1).

A public comment period was held under the optional DNS procedures.

Application: Lockwood Meadows Subdivision Type III Preliminary Plat, Variance, and SEPA (File # 2022-004-SUB/VAR/SEPA)

Application date: February 1, 2022

Technically Complete: February 15, 2022

Proponent: Representative: Travis Johnson, PLS Engineering, 604 W Evergreen Blvd, Vancouver, WA 98660.

Applicant: Susanna S. Hung Trust, 701 Columbia Street #414, Vancouver, WA 98660.

Property owner: Same as applicant

Location of proposal: 2000 NE Lockwood Creek Road, La Center, WA 98629 (Parcel No. 209113000).

Public Hearing: A public hearing is scheduled for May 16 at 6:00 p.m. at La Center City Hall, 210 East 4th Street, La Center, 98629.

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 assessment of a likely determination of non-significance: SEPA Environmental Checklist dated, October 28, 2021; Narrative (PLS Engineering, January 2022); Variance Narrative (PLS Engineering); Preliminary Technical Information Report (PLS Engineering, January 2022); Geotechnical Site Investigation (Columbia West Engineering Inc. September 23, 2021); Water Availability Letter

(Clark Public Utilities, June 4, 2021); Public Health Review Letter (Clark County Public Health, August 10, 2021); Circulation Plan (PLS Engineering, October, 2021); Road Modification Request (PLS Engineering); Traffic Analysis Report (Charbonneau Engineering, Inc. August 2021); Trip Generation and Assessment (Charbonneau Engineering, Inc. October 26, 2021); Clark County Archaeological Predetermination Survey for the Lockwood Creek Subdivision Project Area (September 23, 2021); Bank Use Plan (Ecological Land Services, November 2, 2021); Critical Areas Report (Ecological Land Services, March 24, 2021); Lockwood Meadows Subdivision Plans (PLS Engineering).

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; 18.190 Urban Holding District; 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 Impact; 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:

1. Earth: The applicant must comply with the design recommendations of the geotechnical site investigation by Columbia West Engineering, Inc. dated September 23, 2021.
2. Earth: All grading and filling of land must utilize only clean fill, i.e., dirt or gravel from an approved source;
3. Earth: All debris removed offsite must be disposed of at an approved location;
4. Air: The applicant is required to sprinkle the site with water during construction to reduce dust.
5. Air: The applicant shall use vehicles fitted with standard manufacturer's emission's control equipment to reduce construction-period emissions. Construction vehicles shall not be permitted to idle when not in use.
6. Air: The applicant shall use vehicles fitted with standard manufacturer's emission's control equipment to reduce construction-period emissions. Construction vehicles shall not be permitted to idle when not in use.
7. Water: The applicant must comply with the recommendations of the critical areas report (ELS, March 24, 2021) and the Bank Use Plan (ELS, November 2, 2021).
8. Water: The applicant must comply with the recommendations of the Preliminary Technical Information Report dated January, 2022.
9. Water: The applicant must use approved erosion control best management practices during construction.
10. Water: The applicant shall apply for and obtain all necessary state and federal permits (e.g. Section 404 authorization from the U.S. Army Corps of Engineers and Section 401 approval from the Washington Department of Ecology, as applicable, prior to filling Wetland A.
11. Water: A City stormwater permit and Stormwater Pollution Prevention Plan (SWPPP) shall be required for the proposed project and shall be approved prior to construction.
12. Plants: The applicant shall retain the priority habitat Oregon White oak or receive approval for a critical areas permit for impacts to the Oak's dripline and shall also plant street trees spaced 30-feet on center, and plant landscaping as required by LCMC 18.245.
13. Environmental Health: For the demolition of the existing house on site, in addition to any required asbestos abatement procedures, the contractor shall ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition.

14. Environmental Health (Noise): All construction equipment shall have muffled exhaust and construction activities are only permitted during City-approved construction hours. Contractors are required to comply with the maximum noise level provisions of WAC 173-60 during construction.
15. Light and Glare: The applicant shall comply with the requirements of LCMC 18.282 (Outdoor Lighting).
16. Recreation: The applicant shall comply with LCMC 18.147 (Parks and Open Space).
17. Recreation: The applicant is required to pay park impact fees prior to issuance of building permits.
18. 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:
 - a. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering;
 - b. Take reasonable steps to ensure confidentiality of the discovery site; and,
 - c. 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.

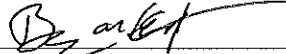
See the Revised Code of Washington, Chapter 27.53, "Archaeological Sites and Resources," for applicable state laws and statutes. See also Washington State Executive Order 05-05, "Archaeological and Cultural Resources." Additional state and federal law(s) may also apply.

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

19. Transportation: The applicant shall comply with the recommendations of the Traffic Analysis Report (Charbonneau Engineering, August 2021) and Trip Generation Update and Assessment Memorandum (Charbonneau Engineering, October 26, 2021).
20. Transportation: The applicant is required to pay transportation impact fees prior to issuance of building permits.
21. Utilities: The applicant shall pay the applicable sewer system development charge for each residential unit. Applicable fees will be assessed at the time of building permit application and are due prior to issuance of final occupancy for each unit.
22. Public Services: The applicant shall pay school, and park impact fees prior to the issuance of building permits for the onsite units. Applicable impact fees will be assessed at the time of building permit application and are due prior to issuance of final occupancy for each unit.

Responsible Official: Public Works Director, Bryan Kast

Date: May 9, 2022 **Signature:** 

Issued: May 9, 2022



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Date Published: May 9, 2022

Attached is a 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. The City issued a SEPA MDNS under the optional DNS procedures in WAC 197-11-355. There is no additional comment period for this determination.

Please address any correspondence to: Jessica Nash, Permit Technician
ATTN: SEPA COMMENTS – Lockwood Meadows Subdivision
210 E. 4th Street
La Center, WA 98629

DISTRIBUTION:

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

Native American Interests: Confederated Tribes of the Grande Ronde (Mail)
Cowlitz Tribe, Natural Resources Department (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)
Department 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)