



**NOTICE OF APPLICATION
AND LIKELY SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE
NW 9th Avenue Sewer Extension
(File # 2022-019-SEPA)**

Description of proposal: The applicant proposes to extend an existing sewer line from W. Hummingbird Place located in Kays Subdivision north across parcel 986058858 and NW Pacific Highway to serve future development on parcels 258921000 and 25890200. The project area encompasses 3,289 square feet.

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 July 30, 2022 will be considered in the application and amended 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: NW 9th Avenue Sewer Extension (File # 2022-019-SEPA)

Application date: May 25, 2022

Technically Complete: June 16, 2022

Proponent/applicant: Representative: Travis Johnson, PLS Engineering. 604 W Evergreen Boulevard, Vancouver WA 98660. Applicant: Dan Wisner and Danny Martin, Osprey Homes. 33901 NW Pacific Highway, La Center, WA 98629.

Property owner: Parcel 986058858 (Silver Buckle Homes LLC), City of La Center (NW Pacific Highway right-of-way), Parcels 258921000 and 258902000 (IBAR TRUST FBO Daniel Wisner 3521830 ETAL).

Location of proposal: Parcel 986058858, adjacent NW Pacific Highway right-of-way and parcels 258921000 and 258902000.

Public Hearing: Not applicable. A public hearing will not be required.

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, February 14, 2022; Archaeological Predetermination Survey for Parcels 258921000 and 258902000; Archaeological Pretermination Survey for the WARAC LLC (Kays Subdivision); and NW 9th Avenue Subdivision engineering plans dated January 13, 2022.

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: 18.310 Environmental Policy; 18.320 Stormwater and Erosion Control; and 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:

- **General:** Prior to construction, the applicant shall obtain engineering approval from the City.
- **General:** The applicant shall construct the project in conformance with the NW 9th Avenue Subdivision engineering plans and specifications approved by the City.
- **General:** The applicant shall construct the sewer protecting the existing home being constructed adjacent to the sewer on the private property.
- **Earth:** The applicant shall comply with the City's erosion control and stormwater requirements in LCMC 18.320 (Stormwater and Erosion Control) and shall obtain approval of an erosion control plan prior to construction.
- **Air:** Construction equipment shall have manufacturer's standard emission's equipment.
- **Air:** The contractor shall implement standard best management practices such as watering to control dust during construction.
- **Water:** The applicant shall comply with the City's erosion control and stormwater requirements in LCMC 18.320 (Stormwater and Erosion Control) and shall obtain approval of an erosion control plan prior to construction.
- **Water:** The applicant shall provide a spill prevention, control, and countermeasure plan (SPCC) to the City and shall receive approval for the SPCC prior to construction.
- **Environmental Health:** The applicant shall protect the existing natural gas pipeline, telephone, water line and existing force main during construction by the contractor.
- **Environmental Health:** The applicant shall prepare and implement a spill control plan, which will include the proper use and storage of hazardous materials, and a hazardous material spill response and clean up protocol, in the event of a mishap.
- **Environmental Health (Noise):** The contractor must ensure construction equipment meets the noise levels in Washington Administrative Code Chapter 173-60.
- **Environmental Health (Noise):** Construction shall be limited to City-approved working hours.
- **Historic and Cultural Preservation:** In the event that any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a 100-foot buffer; this number may vary by circumstance) must stop and the following actions must be 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 Directors	Phone: 360- 263-5189; 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 is required to implement a traffic control plan during construction to ensure that NW Pacific Highway remains open.

Responsible Official: Bryan Kast P.E., Public Works Director

Date: 6/16/22 **Signature:** 

Issued: June 16, 2022



File Name: NW 9th Avenue Sewer Extension Project (File # 2022-019-SEPA)

Date Published: June 16, 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 June 16, 2022. The lead agency will not act on this proposal until the close of the **14-day comment period, which ends July 30, 2022.**

Please address any correspondence to: Jessica Nash, Permit Technician
ATTN: SEPA COMMENTS – NW 9th Sewer Extension Project
210 East 4th Street
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 and email)
Confederated Tribes and Bands of the Yakama Nation

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
KWRL Transportation Cooperative

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

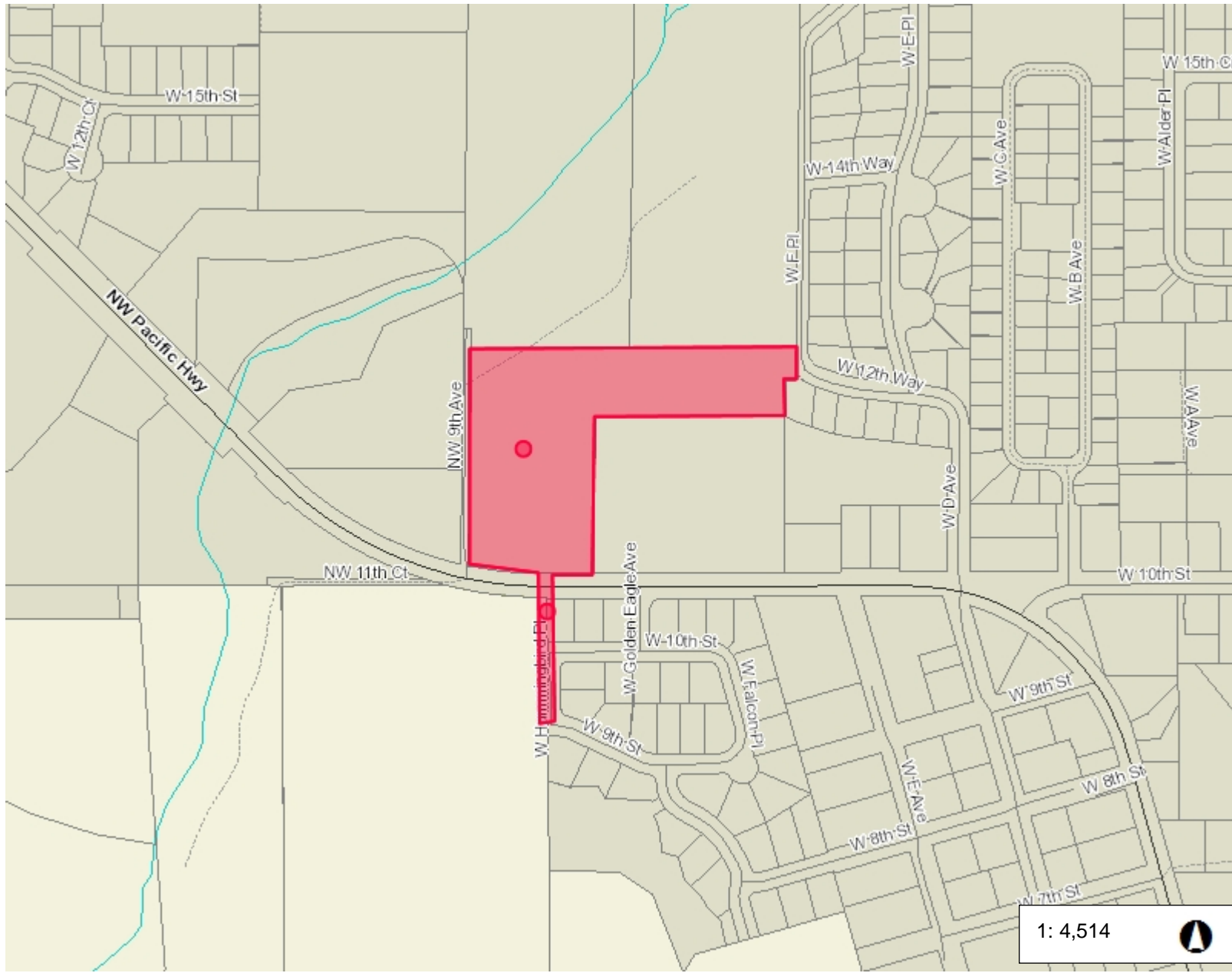
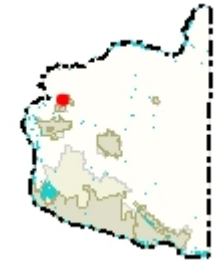
Fire Districts: Clark County Fire & Rescue

Media: The Columbian

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



258902000



Legend

- Taxlots
- All Roads**
 - Interstate
 - State Route
 - Arterial
 - Forest Arterial
 - Minor Collector
 - Forest Collector
 - Private or Other
- Cities Boundaries
- Urban Growth Boundaries

Notes:

1: 4,514

