



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

Valley View Subdivision Type III Preliminary Plat, SEPA, Critical Areas Permit, Legal Lot Determination, and Tree Cutting Permit (File # 2022-034-SUB/SEPA/CAR/LLD/TRE)

Description of proposal: The applicant proposes to subdivide the 8.64-acre site located at 2219 Northeast 339th Street (Parcel 209062000) into 34 lots for single-family detached residences. A public road system would serve the development connecting to Northeast 339th Street and Northeast 24th Avenue. The site will also be served by multiple existing street stubs from the Heritage Country Estates development from the west and south including East 9th Street, East Upland Avenue, East Vine Maple Avenue, and East White Oak Avenue. Lots within the development would range in size from 7,500 square feet to 9,082 square feet. The request also includes a critical areas permit for geologically hazardous areas (“Site Class D” for ground shaking amplification).

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 code, the City of La Center hereby issues a **Mitigated Determination of Non-Significance (MDNS)** for this proposal pursuant to WAC 197-11-350 and the La Center Municipal Code (LCMC 18.310). An Environmental Impact Statement is not required under RCW 43.21c.031(1).

A combined notice of application and public comment period was held under the optional MDNS procedures specified in WAC 197-11-355. This MDNS is hereby final and there is no further opportunity for comment.

Application: Valley View Subdivision Type III Preliminary Plat, Critical Areas Permit, SEPA, legal lot determination, and tree cutting permit (File # 2022-034-SUB/SEPA/CAR/LLD/TRE)

Application date: September 26, 2022

Technically Complete: November 2, 2022

Proponent: Representative: Mason Wolfe, Wolfe Project Management, LLC, 2401 West Main Street, Suite 210, Battle Ground, WA 98604.

Applicant: Mason Wolfe, KDev, LLC, 740 South 85th Avenue, Ridgefield, WA 98642.

Property owner: Sandra Perrott, The Chicken Ranch, LLC, P.O. Box 128, La Center, WA 98629.

Location of proposal: 2219 Northeast 339th Street, La Center, WA 98629 (Parcel No. 209062000).

Public Hearing: A public hearing is scheduled for January 5, 2023, at 5:30 p.m. at La Center City Hall, 210 East 4th Street, La Center, WA 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 issuance of a mitigated determination of non-significance: SEPA Environmental Checklist dated, September 19, 2022; Narrative (Wolfe Project Management, LLC, October 2022 and supplemental December 15, 2022); Preliminary Technical Information Report (The Wolfe Groupe, LLC, July 2022); Geotechnical Site Investigation (True North Geotechnical Services, August 8, 2022);

Traffic Analysis Report (Lancaster Mobley, September 20, 2022); Clark County Archaeological Predetermination Survey for the Valley View Subdivision (June 20, 2022); Critical Areas Report (Cascadia Ecological Services, Inc, June 30, 2022); Arborist Report (Arborscape Ltd., Inc., August 25, 2022 and December 15, 2022); Tree Survey Map and Inventory (Arborscape Ltd., Inc. and Minster-Glaeser Surveying, Inc., October 27, 2022 and November 15, 2022), Mitigation Strategy for the Anderson Pioneer Homestead (Applied Archaeological Research, Inc., December 16, 2022), and Valley View Subdivision Plans (The Wolfe Groupe, LLC and Minster-Glaeser Surveying, Inc).

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; 18.200 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; 18.280 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; 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:** The applicant shall abide by the requirements in the comment letter from the Washington Department of Ecology dated November 30, 2022.
- **Earth:** The applicant must comply with the design recommendations of the geotechnical site investigation by True Geotechnical Services dated August 8, 2022.
- **Air:** The applicant is required to apply best management practices to reduce dust during construction
- **Air:** Construction equipment shall not be permitted to idle and is required to be shut off while not in use.
- **Water:** The applicant shall decommission the existing private well prior to ground disturbance in accordance with Clark County and State of Washington requirements and must provide evidence of the approval and decommissioning in accordance with agency requirements.
- **Water:** The applicant must use approved erosion control best management practices during construction in compliance with LCMC 18.320 and the final approved stormwater technical information report.
- **Plants:** The applicant shall provide mitigation required by LCMC 18.350 for all trees on-site of 10 inches diameter at breast height (dbh) or greater as inventoried by Arborscape Ltd, Inc dated October 27, 2022. All proposed street trees are to be planted thirty feet apart at center or as approved by the Public Works Director to accommodate driveways, utilities, and other required improvements.
- **Environmental Health:** The applicant shall complete a phase 1 environmental site assessment prior to ground disturbance to document any potential contamination and implement any recommendations of this report.
- **Environmental Health:** The applicant shall comply with approved construction hours as required by the City of La Center.
- **Environmental Health:** The applicant shall decommission the existing septic system prior to construction in accordance with Clark County requirements.
- **Light and Glare:** The applicant shall comply with the requirements of LCMC 18.282 (Outdoor Lighting).
- **Recreation:** The applicant is required to pay park impact fees prior to issuance of building permits.
- **Historic and cultural preservation:** Existing buildings on the site are 45 years of age or older and meet registration requirements for listing on the National Register of Historic Places (NRHP). The applicant shall complete an additional assessment of these buildings by an architectural historian assessing impacts and potential mitigations for these buildings as recommended by the Clark County Archaeological Predetermination Survey for the Valley View Subdivision (June 20, 2022). A preliminary assessment and mitigation strategy is provided by Applied Archaeological Research, Inc. and dated December 16, 2022.

This assessment and mitigation strategy shall be completed prior to final engineering approval. Should the forthcoming assessment by an architectural historian or concurrent review of the assessment by a qualified professional determine that one or more of the buildings should be preserved, the City may, but is not obligated, to require that the applicant apply for and receive approval of a post decision review application of the preliminary plat approval that redesigns the site to accommodate the buildings to be preserved. If building preservation is determined to be appropriate by the City and a qualified professional, the City will amend this SEPA MDNS and reissue it for notice and determination.

- **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 (Lancaster Mobley, September 20, 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.

Date: December 21, 2022

Signature: 

Issued: December 21, 2022



Valley View Subdivision Type III Preliminary Plat, Variance, SEPA, Critical Areas Permit, Legal Lot Determination, and Tree Cutting Permit (File # 2022-034-SUB/SEPA/CAR/LLD/TRE)

Date Published: December 21, 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 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 Branch (Mail)

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

Council Clark Regional Wastewater District (Email)

Vancouver Wildlife League (Mail)

NW Natural (Mail)

TDS Telecom (Mail)

CenturyLink (Email)

Washington State Department of Corrections (Email)



December 16, 2022

Ethan Spoo
City of La Center Planning Consultant
ethan.spoo@wsp.com

**Re: Mitigation Strategy for the Anderson Pioneer Homestead, Valley View Subdivision
Development Project, La Center, WA**

Dear Mr. Spoo:

In response to your letter dated December 8, 2022, and to the phone conversation we had this morning, Applied Archaeological Research, Inc. (AAR) proposes a mitigation strategy for the Valley View Subdivision development project. As outlined in this letter, AAR's strategy would mitigate project-related impacts to the Anderson Pioneer Homestead and no further cultural resource work would be required.

In brief, eleven buildings at 2219 NE 339th Street in La Center, WA, would be removed as part of the redevelopment project. These buildings comprise the Anderson Pioneer Homestead and are eligible for inclusion in the National Register of Historic Places (NRHP), as recommended in an earlier study (Taber and Finley 2022) and as determined by the Washington Department of Archaeology and Historic Preservation (DAHP).

AAR's proposed mitigation strategy has two elements: (1) the preparation of supplemental information regarding the historical significance of the pioneer homestead and (2) public dissemination of this information. It would supplement the initial Reconnaissance-level recording of the homestead and would meet the state's requirements for Intensive-level documentation.

Specifically, AAR will conduct research to identify:

- historical images of the Anderson Pioneer Homestead;
- any architect or builder associated with the homestead buildings; and
- additional information regarding the history of the Anderson family or their agricultural operation.

At a minimum, research would be conducted at the La Center Historical Museum and the Clark County Historical Museum but may also include materials obtained from other reputable archives related to the history of Washington.

The results of this supplemental research will be added to the existing entries for the Anderson Pioneer Homestead in the WISAARD online database (<https://wisaard.dahp.wa.gov>), the primary archive of historic properties maintained by Washington DAHP. Information about historic buildings in this database is freely accessible to the public.

This work would be conducted by me, assisted by AAR staff historians under my direct technical supervision. As AAR's Architectural Historian for the last 23 years, I meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards.

Expectations



APPLIED
ARCHAEOLOGICAL
RESEARCH

While other project stakeholders may provide comments or recommendations related to this mitigation, it is **not** expected that these parties would require retention of any of the Anderson Pioneer Homestead buildings.

AAR expects that the research project **would not** interrupt the overall project implementation schedule.

AAR expects that **no** further cultural resource investigation would be required for this project.

Closure

We here at AAR look forward to working with you on this project. Please contact me if I can provide additional information or answer any questions.

Sincerely,

Aimee A. Finley, M.S.
Architectural Historian
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