

## NOTICE OF DETERMINATION OF NON SIGNIFICANCE (DNS)

**NOTICE IS HEREBY GIVEN** that the following proposal has been determined to have no probable significant adverse impact on the environment, and that an environmental impact statement is not required under RCW 43.21C.030(2)(c). Written comments on the following proposal, or DNS, may be submitted to the Responsible Official by October 16, 2019.

**DESCRIPTION:** *Clark County Unified Development Code (Title 40.240.440) Amendments (CPZ2019-00033 Columbia River Gorge National Scenic Area Code update)* – The proposal is to amend the Clark County Code pertaining to the Columbia River Gorge National Scenic Area to correct a scrivener’s error to CCC 40.240.440(H), which states that the development and production of mineral and geothermal resources are required to follow a Type IV (legislative) process. The review procedures should be a Type III (quasi-judicial) process as they are elsewhere in code.

**ACTION REQUESTED:** It is requested that the County Council amend the text of the Columbia River Gorge National Scenic Area (CCC Chapter 40.240.440(H) to correct a scrivener’s error to change the review procedures from a Type IV (legislative) process to a Type III (quasi-judicial) process.

**RESPONSIBLE OFFICIAL:**

Oliver Orjiako, Director Community Planning  
PO Box 9810  
Vancouver WA 98666-9810  
[oliver.orjiako@clark.wa.gov](mailto:oliver.orjiako@clark.wa.gov)

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**BILL TO:**

Sonja Wiser, Program Assistant  
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**PUBLICATION DATE:**           **October 2, 2019**

**PLEASE E-MAIL OR CALL TO CONFIRM RECEIPT AND PUBLICATION DATE**



**DETERMINATION OF NON-SIGNIFICANCE**

**Description of Proposal: Clark County Unified Development Code (Title 40.240) Amendments (CPZ2019-00033 Columbia River Gorge National Scenic Area Code update)** – The proposal is to amend the Clark County Code pertaining to the Columbia River Gorge National Scenic Area to correct a scrivener’s error to CCC 40.240.44(H), which states that the development and production of mineral and geothermal resources are required to follow a Type IV (legislative) process. The review procedures should be a Type III (quasi-judicial) process as they are elsewhere in code.

**Proponent:** Clark County

**Location of proposal, including street address, if any:** Clark County, Washington

**Lead Agency:** Clark County, Washington

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: October 16, 2019

**Responsible Official:** Oliver Orjiako  
**Position/title:** Director  
**Address:** **RE: SEPA Comments**  
Clark County Community Planning  
1300 Franklin Street; 3<sup>rd</sup> Floor  
P.O. Box 9810  
Vancouver, WA 98666-9810

**Date:** 9-24-19      **Signature:** Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Sharon Lumbantobing, Planner II, (360) 397-2280 ext. 4909.



**Clark County SEPA Environmental Checklist  
Washington Administrative Code (WAC) 197-11-960**

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**A. BACKGROUND**

- 1. Name of proposed project, if applicable:** Clark County Unified Development Code (Title 40 40.240) Amendments (CPZ2019-00033) Columbia River Gorge National Scenic Area Code Amendment
- 2. Name of applicant:**  
*Clark County, Washington*
- 3. Address and phone number of applicant and contact person.**  
*Oliver Orjiako, Director  
Clark County Community Planning  
P.O. Box 9810  
Vancouver, WA 98666-9810  
(360) 397-2280 extension 4112*
- 4. Date checklist prepared:**  
*September 19, 2019*
- 5. Agency requesting checklist:**  
*Clark County, WA*
- 6. Proposed timing or schedule (including phasing, if applicable):**  
*If approved by the Clark County Councilors, the code amendments would become effective in November 2019.*
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**  
*No, this is a non-project action.*
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**  
*None, this is a non-project action.*

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

*None, this is a non-project action.*

10. List any government approvals or permits that will be needed for your proposal, if known.

*None, this is a non-project action.*

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

*This SEPA review is for a non-project action. The proposed amendment to the Clark County Unified Development Code (Title 40.240.440.H) is intended to correct a scrivener's error to change the review process from a Type IV (legislative) process to a Type III (quasi-judicial) process as they are elsewhere in code.*

12. Location of the proposal.

*None. This is a non-project action.*

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

- a. General description of the site: Flat, rolling, hilly, steep slopes, mountainous, other.

*Not applicable.*

- b. What is the steepest slope on the site (approximate percent slope)?

*Not applicable.*

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

*Not applicable. This is a non-project action.*

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

*Not applicable.*

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

*Not applicable. This is a non-project action.*

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

*No. This is a non-project action.*

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**  
*None. This is a non-project action.*
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**  
*None. This is a non-project action.*

## **2. Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**  
*None, this is a non-project action.*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**  
*Not applicable. None, this is a non-project action.*
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**  
*Not applicable. This is a non-project action.*

## **3. Water**

- a. Surface:**
- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**  
*Not applicable.*
  - 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described water? If yes, please describe and attach available plans.**  
*No.*
  - 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**  
*None.*
  - 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**  
*No.*
  - 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.**  
*No.*
  - 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**  
*No.*

**b. Ground Water:**

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

*No.*

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

*None. This is a non-project action.*

**c. Water Runoff (including storm water):**

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

*Not applicable as this is a non-project action.*

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

*Not applicable.*

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

*Not applicable as this is a non-project action.*

**d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

*No mitigation is proposed as part of this is non-project action.*

**4. Plants**

**a. Check or circle types of vegetation found on the site.**

Not applicable.

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

orchards, vineyards or other permanent crops.

- \_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- \_\_\_ water plants: water lily, eelgrass, milfoil, other
- \_\_\_ other types of vegetation

**b. What kind and amount of vegetation will be removed or altered?**

*None. This is a non-project action.*

**c. List threatened or endangered species known to be on or near the site.**

*None. This is a non-project action.*

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

*None. This is a non-project action.*

**e. List all noxious weeds and invasive species known to be on or near the site.**

*None. This is a non-project action.*

**5. Animals**

**a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:**

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

*None. This is a non-project action.*

**b. List any threatened or endangered species known to be on or near the site.**

*None.*

**c. Is the site part of a migration route? If so, explain.**

*No.*

**d. Proposed measures to preserve or enhance wildlife, if any:**

*None as this is a non-project action.*

**e. List any invasive animal species known to be on or near the site.**

*None.*

**6. Energy and Natural Resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

*None.*

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

*No.*

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

*None.*

**7. Environmental Health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

*None.*

- 1) Describe special emergency services that might be required.

*Not applicable.*

- 2) Proposed measures to reduce or control environmental health hazards, if any:

*None.*

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

*Not applicable.*

- 4) Describe special emergency services that might be required.

*Not applicable.*

- 5) Proposed measures to reduce or control environmental health hazards, if any:

*Not applicable.*

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

*Not applicable.*

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

*Not applicable.*



**3) Proposed measures to reduce or control noise impacts, if any:**

*Not applicable.*

**8. Land and Shoreline Use**

**a. What is the current use of the site and adjacent properties?**

*Not applicable. This is a non-project action.*

**b. Has the site been used for agriculture? If so, describe.**

*Not applicable. This is a non-project action.*

**c. Describe any structures on the site.**

*None.*

**d. Will any structures be demolished? If so, what?**

*No.*

**e. What is the current zoning classification of the site?**

*Not applicable. This is a non-project action.*

**f. What is the current comprehensive plan designation of the site?**

*Not applicable. This is a non-project action.*

**g. If applicable, what is the current shoreline master program designation of the site?**

*Not applicable.*

**h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

*No.*

**i. Approximately how many people would reside or work in the completed project?**

*None. This is a non-project action.*

**j. Approximately how many people would the completed project displace?**

*None.*

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

*No measures are necessary as this is a non-project action.*

**l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

*No measures are necessary as this is a non-project action.*

**m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

*No measures are necessary as this is a non-project action.*

## 9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

*None as this is a non-project action.*

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

*None.*

- c. **Proposed measures to reduce or control housing impacts, if any:**

*None.*

## 10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

*Not applicable.*

- b. **What views in the immediate vicinity would be altered or obstructed?**

*Not applicable.*

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

*No measures are necessary as this is a non-project action.*

## 11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

*None, this is a non-project action.*

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

*No.*

- c. **What existing off-site sources of light or glare may affect your proposal?**

*Not applicable.*

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

*None are proposed for this is a non-project action.*

## 12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

*None.*

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

*No.*

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

*None are proposed for this is a non-project action.*

### **13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**  
*Not applicable. This is a non-project action.*
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**  
*Not applicable. This is a non-project action.*
- c. Proposed measures to reduce or control impacts, if any:**  
*None, this is a non-project action.*
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**  
*None, this is a non-project action.*

### **14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**  
*None.*
- b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**  
*No.*
- c. How many parking spaces would the completed project have? How many would the project eliminate?**  
*None.*
- d. Will the proposals require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**  
*Not applicable. This is a non-project action.*
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**  
*No.*
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**  
*None. This is not applicable for this non-project action.*
- g. Proposed measures to reduce or control transportation impacts, if any:**  
*None proposed as part of this non-project action.*
- h. Proposed measures to reduce or control transportation impacts, if any:**  
*None proposed as part of this non-project action.*

**15. Public Services**

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? if so, generally describe.**  
*No.*
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**  
*None proposed as part of this non-project action.*

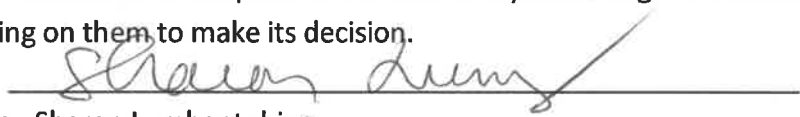
**16. Utilities**

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**  
*Not applicable.*
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**  
*None.*

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_



Name of signee: Sharon Lumbantobing

Position and Agency/Organization Planner II, Clark County Community Planning

Date Submitted: September 17, 2019

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

Respond briefly and in general terms.

- 1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**  
*No development is proposed as a part of this code amendment. The proposed code amendment corrects a scrivener's error and is not related to site-specific development. The proposal would not increase any of the impacts listed above.*
- 2. **How would the proposal be likely to affect plants, animals, fish or marine life?**  
*No development is proposed as a part of this code amendment. The proposal would correct a scrivener's error.*
- 3. **How would the proposal be likely to deplete energy or natural resources?**  
*No development is proposed as a part of this code amendment. The proposal would correct a scrivener's error.*
- 4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection: such as parks, wilderness,**

**wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

*No development is proposed as a part of this code amendment.*

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

*No development is proposed as a part of this code amendment.*

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

*No development is proposed as a part of this code amendment.*

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

*The proposal would not conflict with local, state or federal laws.*

