

MAY 28 2015

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

CITY OF OAK HARBOR
DEVELOPMENT SERVICES DEPARTMENT*Purpose of checklist:*

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: Homeless Encampment Regulations
2. Name of applicant: City of Oak Harbor
3. Address and phone number of applicant and contact person:
Dennis Lefevre, Senior Planner, 865 SE Barrington Drive, Oak Harbor, WA 98277. Phone: 360-279-4513
4. Date checklist prepared: May 20, 2015
5. Agency requesting checklist: City of Oak Harbor
6. Proposed timing or schedule (including phasing, if applicable): A public hearing before the Planning Commission in June 2015 followed by City Council action in July 2015.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
This set of regulations represents new requirements guiding the siting of homeless encampments within the city. As the regulations are tested through activity, additions, expansions, or revisions may occur.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

No environmental studies are expected to be prepared for this project.

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.

No

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

The City Council of Oak Harbor will take action to adopt the proposed regulations.

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. (Lead agencies may modify this form to include additional specific information on project description.)

The proposed regulations provide guidance for the potential siting of a homeless encampment within the city. The regulations link this use to properties owned by places of worship. Parcel size may vary but encampment capacity is established at a maximum of 50 persons. The proposed regulations restrict encampment locations and create site requirements for sanitation, litter control, parking, buffering, etc.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Homeless Encampment regulations limits the location to property owned by a place of worship not more than 1/2 mile from a public transit stop and may not be located on a site within 1/2 mile of a parcel that contained a homeless encampment within the last 18 months.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other
Does not apply.

b. What is the steepest slope on the site (approximate percent slope)?
Does not apply.

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.
Does not apply.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
Does not apply.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
No filling or grading will occur as a result of these regulations.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
The adoption of the regulations will not result in any clearing or construction.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

It is unknown what percent of the individual site will be covered by impervious surfaces. It is unlikely the activity will create new impervious surface on any parcel use for this purpose.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Does not apply. The proposed regulation will not create earth impacts.

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.
Insignificant impacts to air quality may result from the vehicles used by residents of the homeless encampment. It is unknown what percentage of residents own vehicles.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
None.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Does not apply. The proposed regulation will not create air impacts.

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.
The proposed regulations would be in effect citywide which may include a site in the vicinity of a water body.
The permitting process would be used to address any potential concerns to nearby water bodies.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
It is unlikely that a homeless encampment would be located within 200' of any water body.
- 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.
Does not apply.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
Does not apply.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
It is unlikely that a homeless encampment will be located within a 100-year floodplain.
- 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.
Does not apply.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
Does not apply.

- 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.

All Washington State, County Health and City codes will be complied with for the proper disposal of domestic sewage. Each encampment will limited to not more than 50 residents. Proper servicing of the portable toilets will be required on a regular schedule.

c. Water runoff (including stormwater):

- 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.

Does not apply.

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

Does not apply.

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

Does not apply. The proposed regulation will not create water runoff impacts.

4. Plants

a. Check or circle types of vegetation found on the site: Does not apply.

_____ deciduous tree: alder, maple, aspen, other

_____ evergreen tree: fir, cedar, pine, other

_____ shrubs

_____ grass

_____ pasture

_____ crop or grain

_____ 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?

Vegetative screening and/or fencing will be required for vision buffering. Plant type and amount will be determined at the time of permit review.

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

Any threatened or endangered species known to be on or near the site will identified during the permit review process.

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

Native vegetation will be maintained and used as vision buffering as appropriate.

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:

Does not apply.

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

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

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

- b. List any threatened or endangered species known to be on or near the site.
Any threatened or endangered species known to be on or near the site will identified during the permit review process.
- c. Is the site part of a migration route? If so, explain.
No.
- d. Proposed measures to preserve or enhance wildlife, if any:
Does not apply. The proposed regulation will not create wildlife impacts.

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.
Small amounts of propane may be used for cooking and heating.
- 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:
There is a negligible amount of energy impacts anticipated from this proposed regulation. The proposed regulation does not include measures to reduce or control energy impacts.

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.
All Washington State, County Health and City codes will be complied with concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, cooking and food handling and fire resistant materials.
 - 1) Describe special emergency services that might be required.
No special emergency services will be provided.
 - 2) Proposed measures to reduce or control environmental health hazards, if any:
All Washington State, County Health and City codes will be complied with concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, cooking and food handling and fire resistant materials.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Traffic noise from adjacent streets may impact encampment residents. Aircraft noise from the Naval Air Station Whidbey Island may also impact residents.
- 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.
Normal vehicle and human conversation is the only noise anticipated from the encampments.
- 3) Proposed measures to reduce or control noise impacts, if any:
The proposed regulation requires conformance with all city codes including Chapter 6.56 OHMC (Public Nuisance Noises).

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
The proposed regulation requires all homeless encampments to be located on parcels owned by a place of worship.
- b. Has the site been used for agriculture? If so, describe.
All sites will be within an urban setting.
- c. Describe any structures on the site.
Does not apply.
- d. Will any structures be demolished? If so, what?
No structures will be demolished as a result of this regulation.
- e. What is the current zoning classification of the site?
Places of worship may be located in any zoning district.
- f. What is the current comprehensive plan designation of the site?
Places of worship may be located in any comprehensive plan designation.
- g. If applicable, what is the current shoreline master program designation of the site?
Does not apply.
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Does not apply.
- i. Approximately how many people would reside or work in the completed project?
A homeless encampment site is limited to no more than 50 persons.
- j. Approximately how many people would the completed project displace?
None.
- k. Proposed measures to avoid or reduce displacement impacts, if any:
Does not apply.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
The proposed regulation was created to provide guidance and compatibility with existing plans and codes.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
The proposed homeless encampments would provide temporary housing for the homeless segment of our population. No permanent housing would be provided.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
No housing units would be eliminated.
- c. Proposed measures to reduce or control housing impacts, if any:
The proposed regulation provides opportunity for temporary housing for the homeless.

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?
No structure will exceed the height limitation in the underlying zoning district.
- b. What views in the immediate vicinity would be altered or obstructed?
No views will be altered by these encampments. Placement of screening fencing will be assessed at the time of permit review to ensure off-site views are not obstructed.
- c. Proposed measures to reduce or control aesthetic impacts, if any:
Each proposed project will be assessed for the individual impacts, if any, to aesthetics and view.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
The proposed regulation requires conformance with all city codes including light and glare.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
Any safety hazard or view obstruction will be addressed during project review.
- c. What existing off-site sources of light or glare may affect your proposal?
None anticipated.
- d. Proposed measures to reduce or control light and glare impacts, if any:
Each proposed project will be assessed for the individual impacts, if any, to light and glare.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Unknown at this time.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
No existing recreational use will be displaced.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
Does not apply. The proposed regulation will not create impacts on recreation.

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.
Unknown at this time.
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
Unknown at this time.
- c. Proposed measures to reduce or control impacts, if any:
Projects will be required to meet all state and local requirements regarding historic and cultural preservation.

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.
The proposed regulation is citywide and may involve any city street a place of worship is located.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
The proposed regulation requires that an encampment be located within ½ mile of a public transit stop.
- c. How many parking spaces would the completed project have? How many would the project eliminate?
The adoption of the proposed regulations will not impact the number of parking spaces in the area. The proposed regulation does take into account the limitation on parking and does not require new uses to provide parking similar to the Central Business District regulations.
- d. Will the proposal 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).
No new streets or improvements to existing streets are anticipated by these regulations.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
Unknown at this time.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
Unknown or not determined at this time.
- g. Proposed measures to reduce or control transportation impacts, if any:
The proposed regulations require the siting of a homeless encampment within ½ mile of a public transit stop.

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.
The proposed regulations require conformance with all public service requirements. Temporary encampment sponsor and managing organization will be required to conduct a public meeting to identify location, timing, site plan, code of conduct, security measures, and address other community concerns. The managing organization will take all reasonable and legal steps to obtain verifiable identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the Oak Harbor Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- b. Proposed measures to reduce or control direct impacts on public services, if any.
A Code of Conduct will be prepared by the managing organization addressing: possession and use of illegal drugs; alcohol and weapons prohibition; prohibiting violence, open flames, trespassing on adjacent properties, littering, and restricting excessive noise.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
The regulation is affective citywide with most potential locations for a temporary encampment able to provide electricity, water, refuse service, and portable toilets.

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.

Unknown or not determined at this time.

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: *Dick K. Yane*

Date Submitted: *5/28/15*

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. 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?

All systems required for the operation of these encampments will meet state, county, and city health, safety and land use codes.

Proposed measures to avoid or reduce such increases are:

Individual projects will be prohibited from increasing the impact to stormwater, air emissions, or release of toxic or hazardous substances.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed regulation is not likely to affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed regulation is require to conform to Oak Harbor's Municipal Code which provides protection to plant, animals, fish, and marine life.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed energy usage for each encampment will primarily be electricity. The temporary encampments will not deplete or degrade the resource.

Proposed measures to protect or conserve energy and natural resources are:

The proposed regulation does not include measures to protect or conserve energy or natural resources for the temporary encampments.

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?

The proposed regulation will not negatively affect environmentally sensitive areas, parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands.

Proposed measures to protect such resources or to avoid or reduce impacts are:

All temporary encampments will be required to be in conformance with all City of Oak Harbor codes and ordinances providing protection to all of the above areas.

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?

The proposed regulation will create specific guidance for siting temporary encampments. All encampments will be required to be in conformance with all City of Oak Harbor plans and ordinances.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Projects proposed in the area will be required to provide a SEPA checklist (if not exempt) and will be required to meet all permit requirements of the state and local regulations for their proposals.

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

The proposed regulation requires siting of a temporary encampment within ½ mile of a public transit stop. No other demands on the transportation services or utilities are anticipated.

Proposed measures to reduce or respond to such demand(s) are:

No other requirements are included in the proposed regulation.

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

The proposed regulation will require all temporary encampments to meet all local, state, and federal environmental laws.