

DETERMINATION OF NON-SIGNIFICANCE

Description of proposal City of Oak Harbor Comprehensive Plan Amendments 2009. The amendments include updates to the Capital Improvements Plan and an update to the Open Space Element of the Comprehensive Plan. The Open Space Element is being updated with the goals and policies of the Parks, Recreation and Open Space Plan that was adopted in January of 2009. The Parks, Recreation and Open Space Plan was reviewed using the SEPA process and no changes have been made since the adoption.

This is non-project action and no adverse impacts are expected with the adoption of the amendments. However, there are projects that may result from the adoption of the 2009 Comprehensive Plan Amendments and these individual project will be reviewed in more detail prior to implementation.

Proponent City of Oak Harbor

Location of proposal City of Oak Harbor

Lead Agency City of Oak Harbor

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 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 21, 2009.

Responsible Official: Steve Powers, AICP Position/Title: Development Services Director
Phone: 279-4511

Address 865 SE Barrington Drive Date October 7, 2009

Signature 

This determination of non-significance shall be final unless otherwise modified after the comment period, and/or appeal is made and perfected within fourteen days of the date of action set out above.

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

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: *2009 Comprehensive Plan Amendments*

2. Name of applicant: *City of Oak Harbor, Development Services Department*

3. Address and phone number of applicant and contact person:

865 SE Barrington Drive, Oak Harbor, WA 98277.

Phone: (360) 279-4514

Contact Person: Rajesh Kamak, AICP

4. Date checklist prepared: *September 16, 2008*

5. Agency requesting checklist: *City of Oak Harbor*

6. Proposed timing or schedule (including phasing, if applicable):

The amendments to the Plan will go into effect five days after the adopted ordinance is published.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Adoption of some policies may require changes to work programs, codes, or other documents. No specific schedule or changes have been identified at this time. Revisions to the Capital Improvements Plan will result in projects and some may trigger changes to the budget.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The amendments include the Capital Improvements Plan and the Parks, Recreation and Open Space Plan. The Parks, Recreation and Open Space Plan documents have already been adopted and therefore have individual SEPA reviews and determinations already completed. The projects in the Capital Improvements Plan will undergo the necessary evaluations and analysis at the time of implementation.

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

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

No other governmental approvals are required for the Comprehensive Plan Amendments.

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 update to the Capital Improvements Plan include updates to the project list to reflect adopted plans such as the Transportation Plan, Stormwater Plan, Sewer Plan etc. It also includes updates to the revenues and expenditures based on currently available financial information. The impacts of the amended Capital Improvements Plan are no different from the current plan and all projects listed within the Plan will need to do a SEPA review before implementation.

The update to the Parks, Recreation and Open Space Plan Element includes replacing the existing language in the Open Space Element of the Comprehensive Plan with the Goals and Policies of the already adopted Parks, Recreation and Open Space Plan.

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 location of projects within the Capital Improvements Plan and the Parks, Recreation and Open Space Plan are distributed throughout the city and Urban Growth Area.

As per WAC 197-11-235 (3)(b) Part B of the checklist is not required for non-project related actions.

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B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

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

- 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.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
 - a. **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.
 - b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
 - c. Proposed measures to reduce or control emissions or other impacts to air, if any:

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.

- 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.

- 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.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

- 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.

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.

- 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.

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.

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

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

4. Plants

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

- _____ 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?

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

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

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:

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



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

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

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.

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

- 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:

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.



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

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

b. Noise

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

- 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.



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

8. Land and shoreline use

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

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

- c. Describe any structures on the site.

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

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

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

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

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

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

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

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



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

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. Proposed measures to reduce or control housing impacts, if any:

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?
- b. What views in the immediate vicinity would be altered or obstructed?
- c. Proposed measures to reduce or control aesthetic impacts, if any:



11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts, if any:



12. Recreation

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

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

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

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.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

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

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.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

- c. How many parking spaces would the completed project have? How many would the project eliminate?

- 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).

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- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
- g. Proposed measures to reduce or control transportation impacts, if any:

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.
- b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
- 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.

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:

Date Submitted:

[Handwritten Signature]
Sept 16, 2009

D. SUPPLEMENTAL SHEET FOR NONPROJECT 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?

The vision, goals, policies and proposals within the Parks, Recreation and Open Space Plan is unlikely to increase discharge to water, air or lead to the production of noise.

The update to the Capital Improvements Plan(CIP) will update projects lists for the next six years. The comprehensive project lists include improvements to utilities (water, sewer and stormwater), streets and City owned improvements. Transportation projects are primarily improvements to existing streets that may include some widening. Water, sewer and stormwater projects include improvements to the existing infrastructure as well as expansions. It is likely that these improvements can have a cumulative increase of discharge to water. These impacts will be addressed at the time of project implementation.

None of the amendments include production, storage, or release of toxic or hazardous substances.

Proposed measures to avoid or reduce such increases are:

Best management practices and adhering to the Federal, State and City requirements for individual projects within the Plan will help in avoiding or reduce any impacts created by the projects. Implementation will require project specific review and mitigation.

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

It is unlikely that the amendments will drastically change the affect to plants, animals, fish or marine life. The Parks, Recreation and Open Space Plan identifies natural areas for preservation and protection of natural resources. More detailed studies and strategies would have to be developed as the time of individual project implementation based on the site and surrounding conditions.

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

Best management practices and adhering to the Federal, State and City requirements for individual projects within the Plan will help in avoiding or reduce any impacts created by the projects. Implementation will require project specific review and mitigation.

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

The amendments will not have a significant change to the current use of energy and natural resources. However, policies adopted with the updates will provide opportunities to be more efficient and conservative use of energy and natural resources. The projects upgrading existing facilities are primarily programmed to reduce or eliminate poor infrastructure that can deplete energy and natural resources.

The Parks, Recreation and Open Space Plan identifies natural areas for preservation and protection of natural resources.

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

The upgrading of infrastructure listed in the Capital Improvements Plan and the The Parks, Recreation and Open Space Plan is a measure to protect and conserve energy. For example: replacement of a water line or a sewer line helps prevent breakages of old lines that lead to erosion, contamination etc. A storm system will help reduce and prevent erosion. Building pedestrian and bicycle path help reduce the dependency of automobiles that contribute to air pollution. Best management practices and adhering to the Federal, State and City requirements for individual projects within the Plan will help in avoiding or reduce any impacts created by the projects. Implementation will require project specific review and mitigation.

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 Parks, Recreation and Open Space Plan identifies natural areas and environmentally sensitive areas such as wetlands and forests for preservation and protection as natural resources. The vision and policies within the Parks, Recreation and Open Space Plan recognizes the importance of these areas and being close to urban areas identifies general strategies to incorporate them as open spaces for protection as well as enjoyment. The amendments do include projects in the Capital Improvements Plan for the Marina and Parks.

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

Best management practices and adhering to the Federal, State and City requirements for individual projects within the Plan will help in avoiding or reduce any impacts created by the projects. Implementation will require project specific review and mitigation.

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 amendments to the Comprehensive Plan does not support any changes to policies related to shoreline uses. Projects proposed with the Capital Improvements Plan do include upgrades to utilities along the shoreline such as storm water outlets etc. The CIP also includes dredging and upgrades to the existing Marina which is compatible with existing plans.

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

Best management practices and adhering to the Federal, State and City requirements for individual projects within the Plan will help in avoiding or reduce any impacts created by the projects. Implementation will require project specific review and mitigation.

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

The CIP includes transportation and utility system upgrades to decrease the impacts faced on the current system. The Parks, Recreation and Open Space Element includes plans and strategies for alternative transportation routes that will contribute towards providing easy choices for alternative transportation methods and contribute towards the health and safety of community residents.

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

Policies and projects includes in both the Capital Improvements Plan and the Parks, Recreation and Open Space Element are intended to reduce the demand and impact on existing transportation and public services by providing a more efficient, durable and affordable infrastructure system. These can range from designing systems and projects to last longer to selecting durable environmentally sensitive material in project construction.

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

The Comprehensive Plan Amendments do not have any known conflicts with local, state or federal laws. Some projects proposed in the Capital Improvements Plan may require permits from the State and Federal Agencies and will therefore have to meet their requirements.