

## Appendix IV: SEPA Documents

# CITY OF NOOKSACK

P.O. Box 4365 \* 103 W. Madison Street \* Whatcom County \* Nooksack, Washington 98276  
(360) 966-2531 \* Fax (360) 966-2505

## DETERMINATION OF NONSIGNIFICANCE

Description of proposal: 2016 Update of the City of Nooksack Comprehensive Land Use Plan, Development Regulations, and Critical Areas Regulations.

Proponent: City of Nooksack

Location of proposal: Within the city limits and the designated urban growth boundary of the city of Nooksack, Washington.

Lead agency: City of Nooksack

The lead agency for this non-project 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 received by 5:00 p.m. on June 20, 2016. A change in determination may be made upon the addition of new or conflicting information presented to the SEPA Official within the 14-day review period. Questions should be directed to the responsible official noted below.

There is no local agency appeal of this determination.

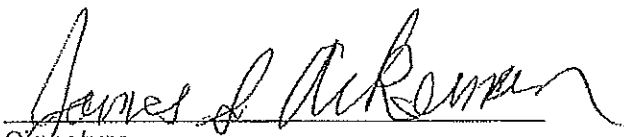
Responsible official: James Ackerman

Position/title: Mayor

Address: 103 W. Madison Street, PO Box 4265, Nooksack, WA 98276

Phone: (360) 966-2531

Date of issue: June 6, 2016

  
Signature

## ENVIRONMENTAL CHECKLIST

### Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21 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 asked 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 non-project proposals:

Complete this Checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project 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.

## ENVIRONMENTAL CHECKLIST

### A. BACKGROUND

1. Name of proposed project, if applicable: Adoption of 2016 Updates to the Nooksack Comprehensive Land Use Plan, Development Regulations, and Critical Areas Regulations
2. Name of applicant: City of Nooksack
3. Address: 103 W. Madison Street, P.O. Box 4265, Nooksack, WA 98276 Contact: Rollin Harper  
Telephone: (360) 966-2531 Applicant's representative: Rollin Harper, Sehome Planning & Development Services.  
Representative's address: 103 E. Holly St., #206, Bellingham, WA 98225 Telephone: (360) 733-6033
4. Date checklist prepared: June 2, 2016
5. Agency requesting checklist: City of Nooksack
6. Proposed timing or schedule (including phasing, if applicable): Adoption of updated plan and regulations scheduled for June 20, 2016.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain: The comprehensive plan will provide the framework for planning and land use decisions over the next 20 years.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:  
  

**Final Environmental Impact Statement for the City of Nooksack Comprehensive Plan issued 10/25/95**  
**Wetland Inventory of the City of Nooksack prepared by David Evans & Associates, 1992**  
**Draft Environmental Impact Statement for the Whatcom County 2016 Update of the Comprehensive Plan, Development Regulations and Critical Areas Regulations (2015)**  
**Final Environmental Impact Statement for the Whatcom County 2016 Update of the Comprehensive Plan, Development Regulations and Critical Areas Regulations (2015)**
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: Adoption by ordinance of the Nooksack city council
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: The City of Nooksack intends to adopt the 2016 update of the comprehensive land use plan, development regulations and critical areas regulations as required by the Washington State Growth Management Act. These plans and regulations will guide development over the next twenty years within the city limits and designated urban growth area of the city of Nooksack.
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 maps, 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 permit. The proposal will encompass lands located within the City of Nooksack and its UGA.

## B. ENVIRONMENTAL ELEMENTS

## 1. EARTH

- a. General description of the site (circle one): Flat with some higher ground in the northeastern portion of the area.
- b. What is the steepest slope on the site (approximate percent slope)? About 20% as you go up the hill to the east from the Sumas River
- 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: Predominantly silt loams in the floodplain. There is an area of Muck soils in the northeastern portion of the area.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe: No.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill? N/A
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe: Erosion could result from development allowed under the comprehensive plan and development regulations, but would be mitigated by use of required best management practices.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Unknown.
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: None.

## 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 associated with this proposal, however air emissions are generally associated with increased development and increased population.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe: Agricultural odors may affect the area.,
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: None.

## 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, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into: The Sumas River, Breckinridge Creek and the Nooksack Slough are in the vicinity. The proposal area may also encompass small, seasonal

watercourses for which the names are not known. There are also some wetland areas within or adjacent to the proposal area.

- 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: 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: N/A
  - 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities: No.
  - 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan: Much of the existing city and urban growth area lies within the 100-year floodplain. See Map 3 from the comprehensive 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? Sewage from Nooksack is treated at the Everson Sewage Treatment Plant and then a portion of the treated effluent is discharged to the Nooksack River. Growth addressed in the comprehensive plan will result in increased discharges to the Nooksack River.
- 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: Planned growth will result in increased withdrawals from the Sumas wellfield.
  - 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: No waste materials will be discharged into the ground.
- 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: Runoff from rainfall is collected from some streets within Nooksack and is discharged to the Nooksack Slough. Growth resulting from the plan may increase runoff entering the Slough and the Sumas River.
  - 2) Could waste materials enter ground or surface waters? If so, generally describe: Yes, when pollutants from roads are collected by storm water and carried into local water ways.
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: New development must implement stormwater best management practices. The Nooksack CAO will be updated based on best available science.

#### 4. PLANTS

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

Deciduous Tree: alder, maple, aspen, other: willow, black cottonwood

Evergreen Tree: fir, cedar, pine, other:

Shrubs: scrub vegetation

Grass: Colonial bent grass

Pasture: Common velvetgrass

Crop or Grain

Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other: soft rush, Douglas spirea, pickle weed, curly dock, sough sedge

Water plants: water lily, eelgrass, milfoil, other:

Other types of vegetation: Invasive plants including reed canary grass.

- b. What kind and amount of vegetation will be removed or altered? Unknown, however planned development will likely result in alteration of existing vegetation.
- c. List threatened or endangered species known to be on or near the site: None.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: None.

## 5. ANIMALS

- a. Circle any birds and animals that 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: small rodents

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

- b. List any threatened or endangered species known to be on or near the site: Bull trout.
- c. Is the site part of a migration route? If so, explain: All of western Whatcom County is part of the Pacific Flyway.
- d. Proposed measures to preserve or enhance wildlife, if any: Stream and wetland buffers will help to preserve existing habitat. The Nooksack CAO will be updated based on best available science.

## 6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electrical, 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.: N/A
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe: No, however increased growth in population will likely result in increased demand for electricity and natural gas.
- 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 deemed necessary.

## 7. ENVIRONMENTAL HEALTH



- a. Are there any environmental health hazards, including exposures to toxic chemicals, risk of fire and explosion spill, or hazardous waste, that could occur as a result of this proposal? If so, describe: No.
- 1) Describe special emergency services that might be required: No special emergency services required.
- 2) Proposed measures to reduce or control environmental health hazards, if any: None deemed necessary.
- b. Noise
- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? Noise associated with transportation and construction already impact the area.
- 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: Increased noise associated with transportation and construction can result from increased development.
- 3) Proposed measures to reduce or control noise impacts, if any: None

## 8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties? Land within the existing city limits is primarily residential with smaller areas of commercial, industrial and agricultural uses. Land in the Nooksack urban growth area is primarily agricultural.
- b. Has the site been used for agriculture? If so, describe: Much of land in and around Nooksack has been used for agriculture – primarily crops, berries and pasture.
- c. Describe any structures on the site: Single-family and multi-family residences, commercial structures and parking areas, public buildings, roads, railroads and utilities.
- d. Will any structures be demolished? If so, what? Not as a result of this proposal; however, future growth may lead to the demolition of older structures as they are replaced with new ones.
- e. What is the current zoning classification of the site? Residential, Commercial, Central Market, Industrial, Agricultural, Recreational and Public.
- f. What is the current comprehensive plan designation of the site? Similar to zoning designations with some areas designated Residential-8600.
- g. If applicable, what is the current shoreline master program designation of the site: A mix of aquatic, shoreline residential, urban conservancy, and urban conservancy-slough within city limits adjacent to the Sumas River and the Nooksack Slough.
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify: No, however a number of critical areas are present including wetlands, streams and frequently flooded areas.
- i. Approximately how many people would reside or work in the completed project? The 2004 population of 910 is projected to increase to 2,039 by the year 2024.
- j. Approximately how many people would the completed project displace? None.
- k. Proposed measures to avoid or reduce displacement impacts, if any: None necessary.

- J. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Not applicable.

## 9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing? Approximately 330 new units will be required to accommodate anticipated growth. These will be a mix of low, medium and high income types.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing: Conversion of residential units to commercial uses will result in the demolition of approximately 10 units.
- c. Proposed measures to reduce or control housing impacts, if any: The plan provides an adequate quantity of residentially zoned land to accommodate growth and reduce housing impacts. Development regulations support development of manufactured housing and accessory dwelling units.

## 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? N/A
- b. What views in the immediate vicinity would be altered or obstructed? Not significantly
- c. Proposed measures to reduce or control aesthetic impacts, if any: Proposed zoning attempts to limit conflicts between incompatible uses that would impact aesthetics.

## 11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Not directly.
- b. Could light or glare from the finished project be a safety hazard or interfere with view? Not applicable.
- c. What existing off-site sources of light or glare may affect your proposal? None known.
- d. Proposed measures to reduce or control light and glare impacts, if any: None deemed necessary.

## 12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity? City park, two schools with play areas and athletic fields, local creeks and the Nooksack River.
- 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: The plan proposes the development of new recreational areas adjacent to new development.

## 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: None known.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site: None known.
- c. Proposed measures to reduce or control impacts, if any: None deemed necessary.

#### 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 city of Nooksack and its urban growth area are served by SR9 and SR544, as well as Breckinridge Road, Gillies Road, South Pass Road and Tom Road.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? Limited transit service through Nooksack is provided by Whatcom Transit Authority.
- c. How many parking spaces would the completed project have? How many would the project eliminate? N/A
- 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): New public streets will be necessary to serve new development.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe: The Burlington Northern Railway Company operates a single rail line that runs through the city of Nooksack. Some new development will be located in the vicinity of this rail line.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur: Additional vehicular trips will be consistent with traffic generated by the proposed new development.
- g. Proposed measures to reduce or control transportation impacts, if any: Needed improvements are set forth in the six-year transportation improvement program. These include many of the City's major arterial streets.

#### 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: As population increases, the need for public services is also expected to increase.
- b. Proposed measures to reduce or control direct impacts on public services, if any: None deemed necessary at this time.

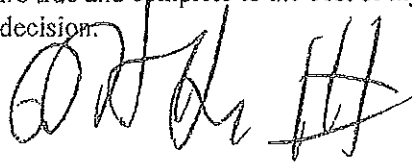
#### 16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other, All of the above utilities are currently available.
- 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: Existing utilities will continue to be provided. Upgrades to capacity and services will be provided as needed or as they become available.

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:

A handwritten signature in black ink, appearing to be "D. W. H.", written over a set of horizontal lines.

Date Submitted:

A handwritten date "6/2/16" in black ink, written below the signature.

#### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

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

When answering the questions, be aware of the extent of 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 the water; emissions to the air; production, storage, or release of toxic or hazardous substances or reduction of noise?

Increased development associated with population growth could result in increases to all of the above.

Proposed measures to avoid or reduce such increases are: The comprehensive plan directs development away from areas where increased impacts would result. Other measures include: local critical areas regulations updated based on best available science, state and federal wetlands regulations, and state air quality regulations.

2. How would the proposed be likely to affect plants, animals, fish, or marine life? Anticipated growth could impact vegetation, animals and fish; as a result of increased generation of pollutants.

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

New development would be required to comply with updated environmental regulations.

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

Anticipated growth would likely increase the demand for energy and natural resources. Some lands currently used for agriculture that are in close proximity to the city would be converted to urban uses based on their no longer having long-term commercial significance for agriculture.

Proposed measures to protect or conserve energy or natural resources are: Development will be directed into a more concentrated urban area rather than being allowed to sprawl. An equal or greater quantity of land will be removed from the Nooksack UGA Reserve to mitigate for the land added to the Nooksack UGA.

4. How would the proposed be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for government protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmland?

The proposed plan includes development within the 100-year floodplain and adjacent to some wetland and stream areas.

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

New development would be required to comply with updated environmental regulations.

5. How would the proposed be likely to affect land or shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? The proposal encourages orderly growth in a more concentrated urban area, thereby conserving resource lands and shoreline buffer areas.

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

The comprehensive plan will help reduce sprawl and conserve resource lands. Updated environmental regulations will conserve shoreline buffer areas.

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

Increased growth is expected to increase the use of the transportation system and the demand for such services.

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

Compact residential concentration and growth will increase the efficiency of the transportation system and the provision of public services and encourage the use of alternative modes of transportation, including walking, biking and use of public transit.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. No conflicts have been identified.