

CITY OF UNION GAP
STATE ENVIRONMENTAL IMPACT THRESHOLD DETERMINATION
NONPROJECT DETERMINATION OF NON-SIGNIFICANCE

FILE NO(S): Shoreline Master Program Periodic Review 2021

PROPONENT: City of Union Gap

DESCRIPTION OF PROPOSAL: Shoreline Master Program Periodic Review 2021. There is no actual construction proposed at this time. Authority for the periodic review is based on Washington's Shoreline management Act (Ch. 90.58 RCW) and related rules. These amendments were developed by the City to comply with WAC 173-26-090, which requires all local governments to review their SMPs on an eight-year schedule set in state law and revise it if necessary. The review ensures the SMP keeps up with changes in state laws, changes in other local jurisdictions plans and regulations, and other changed circumstances.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal contains amendments to the Union Gap Municipal Code Shoreline Master Program to ensure compliance with changes in state law as required by the State of Washington and would affect various locations throughout the City. Details on the specific amendments to be made to the City SMP will be made available at the website identified below:

<https://uniongapwa.gov/community-development/shoreline-master-program-updates/>

LEAD AGENCY: City of Union Gap

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.

☐ There is no comment period for this DNS.

☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5:00 p.m. on May 10, 2021 if they are intended to alter the DNS.

Responsible Official: Dennis Henne

Position/Title: Dennis Henne, Director of Public Works & Community Development, Phone: (509) 575-3638

Physical Address: 102 W. Ahtanum Road; Mailing Address: P.O. Box 3008 Union Gap, WA 98903

Date Issued: April 26, 2021 Signature: 

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Union Gap, P.O. Box 3008 Union Gap, WA 98903. The appeal deadline is 5:00 p.m. on May 17, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

CITY OF UNION GAP

SEPA ENVIRONMENTAL CHECKLIST

A. Background

1. Name of proposed project, if applicable:

City of Union Gap 2020-2021 Shoreline Master Program (SMP) concurrency update – Periodic Review.

2. Name of applicant:

City of Union Gap (City)

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

Applicant

Jeff Watson
Senior Planner, Yakima Valley Conference of Governments
311 North 4th St., #204
Yakima, WA 98901
Tel: 509-574-1550
Fax: 509-574-1551

Local Contact

Dennis Henne
City Union Gap Public Works/Comm. Dev. Director
102 W. Ahtanum Road
PO Box 3008
Tel: (509) 248-0432
Fax: (509) 248-6492

4. Date checklist prepared:

February 9, 2021

5. Agency requesting checklist:

City of Union Gap

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

The City's Planning Commission will review the Shoreline Master Program (SMP) revisions in March and forward it to the Hearings Examiner for a public hearing. This public hearing will fulfill the Department of Ecology's requirements for a joint review and comment period. The City Council is

tentatively scheduled to discuss the SMP at an initial meeting in late May or early June 2021 and adopt the Final SMP by Ordinance before or on June 30, 2021.

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

Periodic review of the City's Shoreline Master Program is required every eight years in accordance with RCW 90.58.080.

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

City SMP DOE Periodic Review Checklist (attached)
Proposed City SMP (attached)

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 pending applications or governmental approvals within the city limits would be affected by the SMP periodic review amendments.

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

The proposed SMP will need the following approvals:

- State Environmental Policy Act (SEPA) review and threshold determination for non- project actions;
- City Council adoption; and
- Washington State Department of Ecology approval (RCW 90.58.090).
- Approval of findings of final ordinance and amendments by the 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. (Lead agencies may modify this form to include additional specific information on project description.)

In 2003, the Shoreline Management Act (SMA), chapter 90.58 RCW, was amended to require cities to regularly update their SMP. For the City, RCW 90.58.080(2) requires the City to review and update its SMP on or before June 30, 2021, and then once every eight years after the date of approval by the Department of Ecology, the regulatory body in charge of overseeing the periodic review.

The purpose of the statutorily mandated periodic review is to assure that the City's SMP complies with the SMA and its implementing guidelines, WAC 173-26 to 173-27, and to assure consistency of the SMP with the City's comprehensive plan and development regulations adopted under the Growth Management Act (GMA), chapter 36.70A RCW, and other local requirements. Proposed changes to the City's SMP fall primarily into two categories: those required by the Department of Ecology to incorporate changes in state guidance since the SMP was adopted in 2008 (see Appendix A Periodic Review Checklist), and those recommended by the City, primarily to update use standards and shoreline environment designations consistent with the City's Comprehensive Plan (June 2017).

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.

City Limits

13. Taxation parcel number(s): Not Applicable

B. Environmental Elements

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

All of the above

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

N/A – Non-Project Action

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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A – Non-Project Action

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

N/A – Non-Project Action

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A – Non-Project Action

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

N/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)?**

N/A – Non-Project Action

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

N/A – Non-Project Action

2. *Air*

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

N/A – Non-Project Action

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

N/A – Non-Project Action

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

N/A – Non-Project Action

3. *Water*

- a. Surface Water:**

- 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.**

N/A – Non-Project Action. The City's SMP and CAO jurisdiction applies primarily to the Ahtanum Creek and Yakima River.

- 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.**

N/A – Non-Project Action

- 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 – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action. The City's SMP and CAO ordinances provides for regulation of construction within the 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.**

N/A – Non-Project Action. The City's SMP and CAO ordinances provides for regulation of construction within the 100-year Floodplain

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

N/A – Non-Project Action

- 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.**

N/A – Non-Project Action

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.**

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

4. *Plants*

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

- ☒ **X** deciduous tree: alder, maple, aspen, other
- ☒ **X** evergreen tree: fir, cedar, pine, other
- ☒ **X** shrubs
- ☒ **X** grass
- ☒ **X** pasture
- ☒ **X** crop or grain
- ☒ **X** Orchards, vineyards, or other permanent crops.
- ☒ **X** wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☒ **X** water plants: water lily, eelgrass, milfoil, other
- ☒ **X** other types of vegetation

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

5. *Animals*

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

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

All of the above

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

There are few threatened or endangered species known to live in or around the city limits; however, this proposal does not involve any change to the land.

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

Migratory birds may use property within the City limits; however, this proposal does not involve any change to the land or habitat and is considered a Non-Project Action.

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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.**

N/A – Non-Project Action

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

N/A – Non-Project Action

- 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:**

N/A – Non-Project Action

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.

N/A – Non-Project Action

- 1) Describe any known or possible contamination at the site from present or past uses.

N/A – Non-Project Action

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

N/A – Non-Project Action

- 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.

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

b. Noise

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

N/A – Non-Project Action

- 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.

N/A – Non-Project Action

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

N/A – Non-Project Action

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

N/A – Non-Project Action

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

N/A - Non-Project Action.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action. However, the zoning classifications in which the SMP environments are found in are the Wholesale/Warehouse, Single Family (R1, R2, R3) Light Industrial, Public Building District, and Planned Recreation Park.

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

N/A – Non-Project Action. However, the future Land Use designations in which the SMP environments are found are the Residential, Parks/Open Space, Industrial, and Public.

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

N/A – Non-Project Action

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

N/A – Non-Project Action. This is the state mandated periodic review and update to the City's Shoreline Master Program.

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action. This is the state mandated periodic review and update to the City's Shoreline Master Program.

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

N/A – Non-Project Action

9. Housing

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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 – Non-Project Action

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

N/A – Non-Project Action

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

N/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?**

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

12. Recreation

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

N/A – Non-Project Action

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

N/A – Non-Project Action

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

N/A – Non-Project Action

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

N/A – Non-Project Action

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

N/A – Non-Project Action

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

N/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.**

N/A – Non-Project Action

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

N/A – Non-Project Action

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

N/A – Non-Project Action

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

N/A – Non-Project Action

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

N/A – Non-Project Action

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

N/A – Non-Project Action

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

N/A – Non-Project Action

- g. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

N/A – Non-Project Action

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

N/A – Non-Project Action

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

N/A – Non-Project Action

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

N/A – 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 _____.

N/A – Non-Project Action

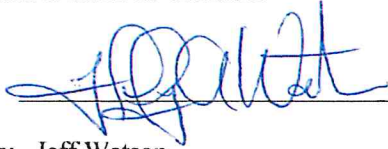
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A – Non-Project Action

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: Jeff Watson

Position and Agency/Organization: Senior Planner, Yakima Valley Conference of Governments

Date Submitted: April 26, 2021

D. Supplemental sheet for nonproject actions

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 proposal would not increase discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. All development and redevelopment in the shoreline jurisdiction are subject to applicable local, state, and federal regulatory requirements, in addition to the provisions of the SMP and other development code standards.

Proposed measures to avoid or reduce such increases are:

The SMP includes policies and regulations for the protection of shoreline environment, addressing impacts of specific uses and shoreline modifications. The development standards and regulation of shoreline uses, and modifications provide more protection for shoreline ecological processes and functions. The standards and regulations limit activities that could result in adverse impacts to the shoreline environment.

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

The SMP was developed, to meet the goal of "no net loss" of shoreline ecological functions. Degradation of the natural environment and shoreline ecological functions due to development will be avoided, minimized, or mitigated in accordance with the State Shoreline Management Act (RCW 90.58; WAC 173.18). The SMP provides for protection and enhancement of fish and wildlife habitat, natural vegetation, and management of critical areas through goals, policies, development standards, use regulations, and mitigation requirements.

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

The SMP references the City's critical areas regulations. These critical area regulations are protective of plants, animals, fish, and associated habitats in concert with the SMP's shoreline jurisdiction. Additional protections of native vegetation and limitations on shoreline developments are also provided for in the SMP. The SMP requires that all uses, and developments achieve no net loss of ecological functions.

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

The proposed SMP measures do not involve regulations dealing with energy or natural resources.

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

None Proposed

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?

Incorporating the SMP into the city's codes will have a positive effect on environmentally sensitive areas or designated for governmental protection; such as parks, wilderness, wildland scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetland, floodplain, or prime farmlands as the SMP in conjunction with the City's CAO ordinance compliant and aligned with state laws, since the original adoption of the Yakima County Regional SMP.

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

The SMP was developed to be consistent with the state shoreline guidelines (WAC 173-26). The WAC provides a level of protection to assure no net loss of ecological functions and values. Measures include protection of critical areas by buffering and enhancement and protections of the native shoreline vegetation.

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 adoption of the state mandated periodic SMP review and update assuring consistency with State regulations/requirements since the last update to the Yakima County Regional SMP will have a positive effect on the shorelines of the state within the City.

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

None Proposed. Redevelopment that will occur over time will be subject to the SMP and other City regulations.

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

None

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

None Proposed

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

The state mandated periodic review and update to the City's SMP is designed to be consistent with other local, state, and federal laws. The SMP integrates by reference the City critical areas regulations and SMP.