Revised Introduction and New On-line Guidance
March 2012

15

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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.

Instructions for Lead Agencies:
Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

Please complete all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). For nonproject actions.

A. BACKGROUND

1. Name of proposed project, if applicable:

   Establishment of an RCW 36.70a.367 Industrial Land Bank

2. Name of applicant:

   Lagler Real Property LLC and Ackerland LLC

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

Lagler Real Property, LLC
14210 NE 117th Ave
Vancouver, WA 98662
360-254-8342

Ackerland, LLC
14210 NE 117th Ave
Vancouver, WA 98662
360-254-8342

Stephen W. Horenstein
Horenstein Law Group PLLC
500 Broadway, Suite 120
Vancouver, WA 98660
360-597-0965

4. Date checklist prepared:

February 9, 2014

5. Agency requesting checklist:

Clark County Community Planning, Vancouver, Washington

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

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

After the Comprehensive Plan is amended and two Industrial Land Bank areas identified and established, industrial development will take place in accordance with applicable development standards, environmental regulations, and a Master Plan reviewed and approved by the County. The State enabling law RCW 36.70a.367 requires the adoption of development regulations specific to Industrial Land Banks to guide the development of a statutory required Master Plan for Major Industrial Development in the designated areas. No development or specific industrial use is proposed, or being considered, at this time.

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

- Environmental Impact Statement for 2004 Clark County Comprehensive Plan.
- Environmental Impact Statement for 2007 Clark County Comprehensive Plan update.

- Type 2 Critical Aquifer recharge Area (CARA) site evaluations.
- Wetlands delineations as part of developing a Master Plan for major industrial development.
- Archeological predetermination as part of master planning for major industrial development for each of the properties.
- SEPA Checklist and Determination of Significance for required major industrial development Master Plan for each of the properties.

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 known

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

- RCW 36.70a.367(2b) stipulates that the environmental review for this proposal, in addition to a threshold determination, must include:
  (a) An inventory of developable land as provided in RCW 36.70A.365; and
  (b) An analysis of the availability of alternative sites within urban growth areas and the long-term annexation feasibility of sites outside of urban growth areas.
- Final MDNS SEPA Determination with mitigation conditions.
- Comprehensive Plan Amendment designating up to two sites for an Industrial Land Bank.
- Adoption of an Industrial Land Bank Ordinance setting development standards and criteria for the required master planning process.
- Master Plan adoption, including SEPA review, prior to any application for development.
- Site Plan Review and SEPA determination prior to approval of a specific industrial development.

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.)

Proposed is the establishment of two Industrial Land Bank areas adjacent to and north of the Vancouver Urban Growth Area (VUGA) as an amendment to the Clark County Comprehensive Plan, in accordance with RCW 36.70a.367. The proposed Industrial Land Bank areas encompass two separate groups of parcels as described below.

- The Ackerland property west of 117th Avenue encompasses tax parcels 196656, 198375, 198335, 198324, 198113, 198111, and 198082 (-000). The property totals 223.72 acres.

- The Lagler property east of 117th Avenue encompasses tax parcels 198080, 198076, 198112, 198101, 198072, and 198075 (-000). The property totals 378.71 acres.

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.

Both properties are located in a rural area between the current Vancouver and Battle Ground urban growth boundaries, along NE 117th Avenue north of NE 119th St. and south of the rural center of Brush Prairie. The group of parcels owned by Ackerland, LLC is located west of 117th Avenue; the parcel group owned by Lagler Real Property, LLC is located east of 117th Ave. (see attached maps)

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

Both properties consist of generally flat, gently rolling terrain. Over decades of use for a dairy operation, most of the properties have been converted to pasture and hay fields which have been maintained and improved with selective leveling and drainage tile installation as needed. Clusters of barns, shops, storage sheds, and other buildings related to the dairy operation are located on the west edge of the Lagler property and the north edge of the Ackerland property. A small wood lot still exists in the northeast corner of the Lagler property.

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

Generally 8%, but up to 15% on the slopes of the leveled areas where farm structures are located.

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.

Ackerland property (estimates from NRSC soil survey website)

Code	*Soil Name*	*Slope %*	*Acres*	*Percent*	*Agriculture Classification*
HlA	Hillsboro silt loam	0 - 3	143.8	65.9	Non-Hydric, Class I prime
HlB	Hillsboro loam	3 - 8	37	17	Non-Hydric, Class II prime
MlA	McBee silt loam	0 - 3	37.4	17.1	Non-Hydric, Class III prime
		Totals	*218.2*	*100*	*Non-Hydric=100%*

Lagler property (data from NRSC soil survey website)

Code	*Soil Name*	*Slope %*	*Acres*	*Percent*	*Agriculture Classification*
CvA	Cove silty loam	0 - 3	2.5	0.7	Hydric, Class V

Code	*Soil Name*	*Slope %*	*Acres*	*Percent*	*Agriculture Classification*
CwA	Cove silty loam, thin solum	0-3	0.1	0.0	Hydric, Class IV
DoB	Dollar loam	0 - 5	163.2	42.9	Non-Hydric, Class III prime
HlA	Hillsboro silt loam	0 - 3	87.7	23.1	Non-Hydric, Class I prime
HlB	Hillsboro loam	3 - 8	21.7	5.7	Non-Hydric, Class II prime
LgB	Lauren gravelly loam	0 - 8	0.2	0.1	Non-Hydric, Class III prime
MlA	McBee silt loam	0 - 3	69.5	18.3	Hydric, Class III prime
Sr	Semiahmoo muck	--	6.5	1.7	Hydric, Class III
Su	Semiahmoo muck, shallow	--	22.8	6.0	Hydric, Class III
W	Water	--	6.0	1.6	Water
		Totals	*380.4*	*100.0*	*Non-Hydric=272.8 or 72%*

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

No, however both the Ackerland and Lagler properties are primarily designated NEHRP Class D with a Low to Very Low risk of liquefaction in the event of a major sustained earthquake.

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

No grading or filling proposed as part of this proposal. Future industrial development would likely require some grading and filling, which would be reviewed, approved, performed and inspected in compliance with applicable state and county regulations. A separate environmental review would be conducted for any such proposed activity at the time of permit application and/or Site Plan Review.

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

Given the generally flat, gently rolling nature of both properties, erosion potential from water runoff is minimal. Erosion and dust potential from winds is a possibility during clearing, grading, and construction activities, but would be addressed and regulated by applicable state and County erosion control regulations at the that time.

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

Current County development code allows up to 100% site coverage for all industrial uses. However, additional setbacks and/or landscape requirements may apply, particularly abutting residential uses or zones, where a minimum 10ft L3 High Screen landscape buffer would generally be required (See Clark County Code Sections 40.230.085(E) and (F) and 40.320.010.)

The required Master Plan for the two land bank areas, and related new development regulations, could require additional landscape buffers abutting residential, rural, open space, and agricultural land zoning and/or uses. In addition, storm water drainage regulations will require any new development to dedicate a portion of its site to storm water management facilities, unless acceptable off-site facilities with capacity were available.

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

Compliance with County erosion control and development regulations, and any applicable Master Plan requirements or Site Plan Review conditions of approval.

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.

The designation of the subject property as an Industrial Land Bank will not of itself create additional emissions into the air. Current emissions relate to existing normal agricultural activities, such as: dust, livestock odors, machinery operation, chemical sprays used to control insects and weeds, smoke from burning of debris and excess vegetation. Emissions from future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, and SEPA review of the specific development or development types proposed.

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

None known.

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

Future industrial development and activity on the subject site will be subject to all state, federal, and local laws and regulations related to air quality and emissions.

3. WATER

The designation of the subject properties as Industrial Land Bank will not involve diversion of, discharges to, or withdrawals from nearby or on-site water bodies. Current diversions, discharges and withdrawals relate to existing agricultural activities, such as: field drainage, irrigation, etc.

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.

Ackerland property:
The eastern portion of the Ackerland property does contain shallow seasonal ponds and possible wetlands. No streams or rivers exist on or near the properties.

Lagler property:
An 11 acre pond exists on the western portion of the Lagler property, south of the barn complex. A 1.4 acre manure settling pond abuts the larger pond to the northeast.

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.

Probably, but unknown at this time. Such work may be part of future development proposals, which will be evaluated through the Master Plan process, Site Plan Review, and SEPA review of the specific development or development types proposed.

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.

None proposed at this time, but may be required for future industrial development subject to obtaining required permits.

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

Withdrawals or diversions related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, and SEPA review of the specific development or development types proposed.

5) Does the proposal lie within a 100-year floodplain?

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Discharges related to future industrial activities are unknown at this time, but will be addressed as part of any future development proposals through the Master Plan process, Site Plan Review, compliance with applicable regulations, and SEPA review of the specific development or development types proposed.

B. Ground Water:

Approximately 140 acres of the Ackerland property is mapped as a 5-10 year Public Wellhead Zone, which defines the sensitive areas around public well locations that contribute to the water quality of the well location. Such areas are subject to State and County regulation to protect the quality of public water supplies.

Both properties are in a Critical Aquifer Recharge (CARA) Category II Recharge area subject to County regulations to protect groundwater quality (CCC 40.410). Given the long list of activities that require a CARA permit, a formal site evaluation will likely be required during Site Plan Review for major industrial development of the properties.

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

The current agricultural use of both properties involves withdrawal of large quantities of ground water for pasture and field irrigation. Since no specific industrial development is proposed, or being considered, at this time, it is unknown whether future ground water withdrawals will be necessary. Public water lines operated by Clark PUD are available along NE 117th Avenue, . Upgrades are occurring in the area and may be necessary if a future industrial use requires large quantities of water.

Clark PUD has indicated a willingness to make any future upgrades to the water system to serve this development.

Discharges related to future industrial activities are unknown at this time, but will be addressed at the time of any future development through the Master Plan process, Site Plan Review, compliance with applicable regulations, and SEPA review of the specific developments or development types.

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.

The current Lagler Dairy Farm operation that encompasses both properties does produce large quantities of cow manure and waste water from barn cleaning activities. Manure from the barns is currently processed in a settling pond in the northwest portion of the Lagler property south of the barns, and the northern portion of the Ackerland property south of the barns. The two (2) homes on the northern edge of the Ackerland property are served by septic systems. The three (3) homes on the western, southern, and eastern edges of the Lagler property are also served by septic systems.

Discharges related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review,

compliance with applicable regulations, and SEPA review of specific developments or development types.

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.

Water runoff related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, compliance with County regulations (CCC 40.s850), and applicable state and federal regulations, and SEPA review of specific future developments or development types when proposed.

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

Waste materials related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, compliance with applicable regulations, and SEPA review of specific future developments or development types when proposed.

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

Water impacts related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, compliance with County storm water and erosion control requirements (40.385), and applicable state and federal regulations. Further analysis will occur at the time of SEPA review for the specific industrial development proposed for the Industrial Land Bank areas.

4. Plants

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

Types of vegetation	Lagler	Ackerland
deciduous tree: alder, maple, aspen, other	X	X
evergreen tree: fir, cedar, pine, other	X	X
shrubs	X	X
grass	X	X
pasture	X	X
crop or grain	XX	XX
wet soil plants: cattail, buttercup, bull rush, skunk cabbage, etc	No	No
water plants: water lily, eel grass, milfoil, other	No	No

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

Even though no specific industrial activity is proposed, or being considered, at this time, future full development of the properties will likely see all existing vegetation removed and replaced with standard landscaping, impervious surfaces, and buildings in accordance with the adopted Master Plan, applicable regulations, and Site Plan Review conditions of approval, after SEPA review of the specific development or development types proposed.

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

None known.

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

Details of landscaping related to future industrial development of the properties are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, and SEPA review of the specific development or development types proposed. All landscaping will be in accordance with applicable County development standards, the approved Master Plan, and any adopted conditions approval.

5. Animals

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

Types of Animals	Lagler	Ackerland	Notes and Comments
Birds (specify)	X	X	Duck, Geese, Hawk, Eagle (non-nesting), Songbirds
Mammals (specify)	X	X	Deer, Raccoon, coyote, gophers, mice, voles

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

None known.

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

No.

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

None.

6. Energy and Natural Resources

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

Energy and natural resource needs for future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, compliance with applicable regulations, and SEPA review of the specific development or development types proposed Electrical and natural gas resources will likely be needed for operations, production, and heating Clark PUD has indicated that substantial power capacity currently exists in the area and the agency will work with the property owner if upgrades become necessary to serve the development

b Would your project affect the potential use of solar energy by adjacent properties?

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

Potential energy conservation features related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review conditions of approval, and compliance with applicable regulations, after SEPA review of the specific development or development types proposed

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

Environmental hazards related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review, compliance with applicable regulations, and SEPA review of specific future developments or development types when proposed

1) Describe special emergency services that might be required

None known at this time

2) Proposed measures to reduce or control environmental health hazards

None at this time

b Noise

Noise related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review conditions of approval, and compliance with applicable regulations, after SEPA review of the specific development or development types proposed

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

None known at this time.

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

Not known at this time.

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

None at this time.

8. LAND USE

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

Both properties are part of the Lagler Dairy Farm – a dairy operation – formed as an LLC in 2002. Surrounding uses are agricultural or rural, as well as a cluster of large lot single family homes, an apartment complex, and a retail center anchored at WinCo just south of the Ackerland and Lagler properties, and along the southwest corner of the Lagler property (see attached aerial photo and map).

Neighboring properties to the north of the Ackerland property are designated Rural-5, to the northwest, Rural-10, to the west, Agriculture and Parks/Open Space, to the south zoned commercial and industrial with a Railroad Industrial Reserve overlay and some Urban Low Density residential and Light Manufacturing, and to the east and northeast a mixture of Agriculture, Rural-5, and Rural Industrial. Summit View High School, an alternative school of the Battle Ground School District, is located across 149th Street north of the Ackerland property.

The largest Lagler parcel east of NE 117th Ave. abuts the southeast corner of the Ackerland property and is designated Agriculture with an Industrial Reserve overlay (see attached map). Lands to the north and northwest of the Lagler property are mostly designated Agriculture with a large node of Rural-5 along the east side of 117th Avenue. Lands to the west are split between Agriculture, Light Industrial, and Community Commercial along the east side of 117th Avenue. At the southwest corner of the Lagler property a small area is designated Urban Low Density Residential with a large area of High Density Residential the south (across NE 119th St). Battle Ground School District's Prairie High School is located a short distance from the Lagler property, south of 119th St and west of 117th Avenue, within the VUGA. A small area to the southeast of the Lagler property is designated Light Industrial, beyond which is an area of Rural-5 north of 119th St. and Urban Low Density Residential south of 119tht St.

A 120 acre area of the VUGA extends north along the west side of 117th Ave. from 119th St. north - ending at the Lagler Dairy barn complex. The southern 1/3 of the peninsula is zoned C-3 for community commercial uses and contains a grocery store and a bank, with about 1/2 the area not yet developed for commercial uses. The middle 1/3 is designated for industrial, and the northern 1/3 has the east half designated as industrial and the west half designated for low density residential (see attached map). This portion of the VUGA also encompasses the residential properties along the east side of 117th Avenue, most of which are designated for light industrial or commercial use. The designated low density residential properties at the southwest corner of the Lagler property, north of 119th Street, and the designated light industrial properties at the northwest corner of 119th Street and 132nd Avenue, are also in the VUGA.

A private airfield, with grass runway, for several small private planes, exists just to the north of the largest Lagler parcel and, though designated Agricultural, is zoned to continue as an airport. Lagler Dairy LLC also owns 105 acres east of 132nd Avenue that are not part of the proposed Industrial Land Bank area.

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

Both the Ackerland and Lagler properties are currently in agricultural use and have been for over 60 years. The current agricultural activity on both properties is related to operation of the existing dairy – barns, corrals, pasture, hay and feed production, irrigation, and dairy waste processing.

c. Describe any structures on the site.

Data from County Assessor records. See attached aerial photo.

Ackerland property

Building	Year Built	Description
House	1942/1950	2 BR/ 1 Bath/ 1,092 sf w carport
Mobile Home	1994 Skyline	2,368 sf (including additions)
Machine Shed	1950	2,560 sf w 704 sf Lean-to
Loft Barn	1950, 1960	5,525 sf; 4,400 sf w 280 sf shed
Loafing Shed	1950	4,600 sf
Detached Garage	2000	624 sf

Lagler property

Buildings	Year Built	Description
House (117th Ave)	1901/1950	5 BR/ 2 Bath/ 2,830 sf w carport; basement unfinished
House (132nd Ave)	1942	2 BR/ 1 Bath/ 1,464 sf w 2 garages (1 attached)
House (132nd Ave)	1950	3 BR/ 2 Bath/ 2,442 sf w attached garage
5 Barns (Metal)	1940(4), 1981(1)	6,800 sf; 8,000 sf; 6,000 sf; 9,000 sf; 6,900 sf;

3 Loafing Sheds	1940(2), 1980(1)	31,920 sf; 28,160 sf; 80,400 sf;
General Purpose	1940	800 sf
2 Machine Sheds	1940	3,960 sf; 6,210 sf
Office	1960	2,400 SF

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

All existing structures would eventually be demolished, but not until industrial redevelopment of the site is approved. At that time industrial buildings appropriate for the ML Zone in conformance with County development regulations, adopted Master Plans, and Site Plan Review conditions of approval, will be constructed.

e. What is the current zoning classification of the site? (see attached map)

Ackerland parcels: Agriculture AG-20

Lagler parcels: Agriculture AG-20, with Zoning Overlay: Industrial Urban Reserve 20

f. What is the current comprehensive plan designation of the site? (see attached map)

Ackerland parcels: Agriculture, however 3 parcels in the southern portion of the property have a Railroad Industrial Reserve Overlay.

Lagler parcels: Agriculture, with an Industrial Reserve Overlay.

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.

The northeast portion of the Lagler property does contain five areas mapped as peat deposits, totaling approximately 28 acres. Hydric soils stretch across the central areas of both properties, primarily MIA soils, but with two large areas of Su soils on the eastern portion of the Lagler property (see list of soils under Item 1 above and attached map).

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

Since no specific industrial development is being proposed or considered at this time, it is unknown how many people will be employed on the properties. However, employment goals in the Comprehensive Plan suggest an average of 9 jobs per industrial acre. Assuming major industrial development at some time during the 20-year horizon of the Comprehensive Plan, this could mean a minimum of 2,000+ jobs on the Ackerland property

and 3,400+ jobs on the Lagler property. Many light industrial properties in Clark County create more jobs per acre than these minimums.

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

Residents of the five (5) existing homes on the properties (Ackerland 2, Lagler 3), would be displaced but not until future redevelopment of the site actually occurs.

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

None.

l. Proposed measures to ensure proposal is compatible with existing and projected land uses/plans:

Conformance with County development codes and landscaping/buffer standards, adoption and application of new development regulations governing the master planning process for major industrial developments, and Site Plan Review conditions of approval. RCW 36.70a.367(3) requires that the development regulations for the major industrial development master planning process must be adopted in concert with the approval of the Industrial Land Bank areas.

The required regulations must ensure that the Master Plan include or addresses the following:

(a) That urban growth will not occur in adjacent non-urban areas;
(b) That development is consistent with the County's regulations for protection of critical areas;
(c) That required infrastructure is identified and provided concurrent with development phases;
(d) That transit-oriented site planning and demand management programs are addressed;
(e) That provision is made for addressing environmental protection, including air and water quality;
(f) That interlocal agreements with service providers be in place at Master Plan approval;
(g) That industrial land bank area is primarily for major industrial and manufacturing businesses, and that commercial and service buildings/facilities within the industrial development cannot exceed 10% of the total gross floor area of buildings/facilities in the development. These commercial and service uses may not be promoted to attract clientele from the surrounding area and must be established concurrent with or after the industrial or manufacturing businesses;
(h) That any new infrastructure is provided for and/or applicable impact fees are paid to assure that adequate facilities are provided concurrently with the development phases;
(i) That buffers are provided between the major industrial development and adjacent rural areas; and
(j) Provisions to mitigate adverse impacts on designated agricultural and resource lands.

The County's Master Planned Development code (CCC 520.070) was amended December 14, 2012 to include provisions for master planning of light industrial areas. The detailed requirements of RCW

36.70a.367, summarized above, are not specifically addressed. However, the minimum standards and criteria in the County code do not conflict with the RCW standards and do provide a good framework for addressing the state requirements as part of the conditions of approval for the Comprehensive Plan amendment and rezone.

Section F of the Master Plan Development code does allow for new development standards to be considered as part of the master planning process. The applicant proposes to work with County staff to develop standards that satisfy both state and local requirements for inclusion in the Master Plan and a Concomitant Rezone Agreement or Developer Agreement.

9. Housing

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

None.

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

Two (2) single family homes currently exist on the north edge of the Ackerland properties, one being a 1994 mobile home, and three (3) single family homes currently exist on the Lagler properties, one facing 117th Ave. and two facing 132nd Ave. All would likely be eliminated at full development of the properties for industrial use.

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

None.

10. Aesthetics

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

No structures or specific development is proposed at this time. The current Clark County Development Code does allow structures in the light and heavy industrial zones to be up to 100 ft in height, excluding unique architectural features such as towers, cupolas and peaked roofs (No height limitation for accessory towers). However, for buildings exceeding thirty-six (36) feet in height, the building setback shall be equal to the height of the building, up to a maximum setback of fifty (50) feet. Establishment of the two Industrial Land Bank areas, as proposed, also requires the adoption of new development regulations to guide the master planning process for future major industrial development of the properties.

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

Rural views of travelers along NE 117th Avenue, rural views from surrounding residential properties, and views from the Clark County park property abutting the west side of the Ackerland property would likely be altered or obstructed. Landscape buffers are required by current County development codes and would be enhanced as part of the master planning process prior to future industrial development of the properties.

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

At the time of development, landscaping and buffers in conformance with adopted Clark County development codes and standards, the adopted Master Plans, and Site Plan Review conditions of approval, would be required.

11. Light and glare

Light and glare related to future industrial activities are unknown at this time, but will be addressed as part of future development proposals through the Master Plan process, Site Plan Review conditions of approval, and compliance with applicable regulations, after SEPA review of the specific development or development types proposed.

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

Even though no specific development is proposed at this time, it is likely that normal security and outdoor activity area lighting will be provided as part of any industrial development. Applicable County codes already require that lighting be directed away from uses on adjacent parcels and shielded to minimize nighttime glare. These requirements also apply to glare from glass or shiny exterior surfaces of buildings.

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

Unlikely, if development is designed and operated in conformance with applicable County codes.

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:

Compliance with the design requirements of the adopted Master Plan, any Site Plan Review conditions of approval, and the requirements of County code.

12. Recreation

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

Undeveloped County parks property abuts the western edge of the Ackerland property. The land north of the Ackerland property, across 149th Street, is owned by the Battle Ground School District which operates an alternative high school on a portion of that property. The majority of that school district property is not yet developed, but remains in forested and open space condition.

A privately owned baseball field complex exists a short distance northeast of the Lagler property.

b. Would the proposed project displace any existing recreational uses?

No.

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

Based on current County codes, future development of the Ackerland property would likely be required to provide a landscape screening buffer along that portion of the site abutting the Clark County parks property. Details of such a landscape buffer can be included in the required Industrial Land Bank Master Plan and as conditions of approval during Site Plan Review for any future industrial development on the western portion of the Ackerland property.

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.

Yes. One property along 119th Street abutting the Lagler property to the south and two non-abutting properties in the rural neighborhood to the southwest are listed in the Clark County Historic Resource Inventory.

Note: We will identify these sites on exhibits to the submitted application.

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

None other than noted above. The general area is rated medium-high for archeological significance. An archaeological predetermination will be conducted as part of the master planning process.

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

Based on current County codes, future development of the Lagler property would be required to provide a landscape buffer along that portion of the site abutting the historic property to the south.

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.

117th Avenue is the major arterial connecting between the City of Vancouver and the City of Battle Ground and is accessible from both the Ackerland and the Lagler properties. Access to I-205 is 5 miles to the south and west, connecting by way of the Padden Parkway or SR-500. Access to I-5 is about 4 miles to the north through Battle Ground and 6 miles to the west by way of main St. which becomes NE 219th St. (See attached map).

- The Ackerland property is bordered by the major arterial of NE 117th Avenue to the east and County road 149th Street to the north. The largest parcel of the property is traversed by a railroad right-of-way currently owned by Clark County.

  The County Arterial Atlas shows a proposed road connecting through the largest parcel of the Ackerland property from 92nd Ave. at 134th St. northeasterly to 117th Avenue at 144th St.

- The Lagler property is bordered by the major arterial of NE 117th Avenue to the west, County road 119th Street to the south, and County road NE 132nd Avenue to the east. 119th Street is being improved to Arterial status in phases.

  The County Arterial Atlas shows a proposed south-to-north extension of 124th Avenue through the middle of the Lagler property from 119th Street to 144th Street. In addition, the Atlas shows a west-to-east extension of 134th Street across the northern edge of the Lagler properties, thus connecting 117th Avenue with 132nd Avenue.

Primary access for future industrial development will be from NE 117th Ave. for both properties, but proposed roads indicated in the Arterial Atlas suggest alternatives may be available in conjunction with future development. However, given the RCW 36.70a.367(3) stipulation that designation of an Industrial Land Bank area not cause or encourage urban growth to occur on neighboring non-urban properties, such options may be limited or constricted. Access for future major industrial development on either the Ackerland or Lagler property is from NE 117th Avenue (SR-503). Access will be addressed more specifically as part of the required Master Plan process and Site Plan Review. Additional SEPA review of the Master Plan and future development or development types proposed will be required at that time.

Mitigation of impacts on the continued use and viability of neighboring rural and agricultural lands, and the RCW 36.70a.367(3) stipulations, may require that proposed road corridors indicated in the Arterial Atlas not be improved all the way through any new major industrial development on the subject properties, and that frontage improvements be limited to 117th Avenue.

b. Is site currently served by public transit? What is approximate distance to the nearest transit stop?

Transit does pass both the Lagler and Ackerland properties on NE 117th Avenue, connecting between Vancouver and Battle Ground. The nearest service stops are at 119th Street near Prairie

High School and 149th Street in Brush Prairie. Today, the approximate distance from property road frontage to the nearest transit stop, for the Ackerland or Lagler property, is about 1/4 to 1/2 mile.

c. How many parking spaces would the completed project provide or eliminate?

No existing approved parking spaces would be eliminated. Even though no specific industrial activity is proposed, or being considered, at this time, parking for future full development of the properties will be provided in accordance with the adopted Master Plan, applicable regulations, and Site Plan Review conditions of approval.

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).

Even though no specific industrial activity is proposed, or being considered, at this time, the need for new roads or streets, or improvements to existing roads or streets, is very likely, and anticipated by the proposed new roads indicated in the County Arterial Atlas. Roads, streets, and improvements necessitated by future development will be provided in accordance with the adopted Master Plan, applicable regulations, and Site Plan Review conditions of approval, as discussed above.

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

The larger northern parcel within the Ackerland properties is traversed by a County owned railroad right-of-way. Since no specific industrial activity is proposed, or being considered, at this time, the potential use of the railroad right-of by an industrial activity is unknown. The Ackerland property is ready to develop with industrial uses that will access the railroad.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Not calculated at this time.

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

None at this time. However, such measures can be considered during the required master planning, additional SEPA review, and Site Plan Review processes prior to any future major industrial development of the properties.

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.

Additional fire, police and emergency medical services will likely be required once the properties are fully developed for industrial use.

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

None.

16. Utilities

a. List utilities currently available at the sites:

Electricity and water are available to both properties from Clark Public Utilities. NW Natural gas has a pipeline in 117th Avenue which is utilized by the current dairy operation. Telephone and refuse services are generally available in the area. Sanitary sewer service is not yet available to the area, but preliminary plans have been prepared for the Lagler and Ackerland properties to provide sewer service directly to this site in cooperation with Clark Regional Wastewater District to assure that service and capacity is available when needed (see attached map).

Note: we will attach this sewer plan to the submitted application.

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.

Since no development or specific industrial use is proposed or being considered at this time, specific utility needs are unknown. Utility extensions and capacity expansions will be review as part of the master planning and Site Plan Review processes prior to future industrial development.

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 DENNIS LAGLER

Position and Agency/Organization manager LAGLERS DAIRY LLC

Date Submitted: Feb 12, 2014

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

(**IT IS NOT NECESSARY** to 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 in .

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?

Once the properties have been designated as Industrial Land Bank Areas it is likely that future industrial development will increase, to some extent, storm water runoff, air emissions from vehicles and industrial processes, noise, and the risk of toxic or hazardous substances being released.

Proposed measures to avoid or reduce such increases are:

Compliance with all applicable state, county, and federal regulations pertaining to storm water, air emissions, noise, and toxic or hazardous substances. These issues can be addressed in the required Industrial Land Bank Master Plan and related development regulations, the SEPA environmental review process, and Site Plan Review performed prior to any development approvals.

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

No endangered plant or animal species are known to exist on either of these properties. No streams or creeks exist on or about the properties.

- A large area of riparian habitat does exist to the north and northwest of the Ackerland properties, along Salmon Creek and its tributary streams.
- The edge of a WDFW Priority Habitat Species buffer touches the northeast corner of the Lagler property. The edge of a Priority Habitat and Species riparian area touches the southeast corner of the Lagler property.

Once the Ackerland and Lagler properties are designated as Industrial Land Bank areas, future industrial development will cause most existing vegetation to be removed and replaced with impervious surfaces and landscaping in accordance with applicable development codes and environmental regulations. Any animals not adapted to urban or industrial activities could be displaced.

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

Compliance with all applicable state, county, and federal regulations pertaining to the protection or conservation of plants, animals, fish, or marine life Additional measures can be considered as part of the required master planning and Site Plan Review processes for future major industrial development on the properties Additional SEPA review will be required at that time The Washington Department of Fish & Wildlife Priority Habitat and Species buffer and the riparian habitat areas will be protected

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

The designation of the properties as Industrial Land Bank areas would not in itself deplete energy or natural resources Future industrial development will require the use of a variety of building materials, the use of energy in construction, and the use of energy and some measure of natural resources in any future major industrial operations on the sites

Proposed measures to protect or conserve energy and natural resources are

Compliance with all applicable state, county, and federal regulations pertaining to the use and conservation of energy and natural resources Additional measures can be considered as part of the review and approval process for future industrial development on the properties

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?

Existing County development codes already address potential impacts on sensitive areas, wetlands, historic resources, potential archaeological sites, and species habitat A wetland inventory, archeological predetermination, and a CARA site evaluation will likely be required as part of the required master planning process for major industrial development of the Industrial Land Bank areas

While there are no existing development codes addressing impacts on agricultural lands, the legislation that authorizes the designation of two Industrial Land Bank areas outside of any Urban Growth Area also requires that surrounding rural and agricultural lands be protected from urban development

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

Conformance with County development codes, environmental regulations, and landscaping/buffer standards, adoption and application of new development regulations to govern the major industrial Master Plan process, further SEPA review at the time of Master Plan and Site Plan Review RCW 36 70a 367(3) requires that the County adopt additional development regulations for the Master Plan process in concert with the designation of Industrial Land Bank areas

The required regulations must ensure that the Master Plan for major industrial development of the Industrial Land Bank areas include or address the criteria listed above at the end of the Land Use section of the SEPA checklist Such regulations have not yet been adopted by Clark County, but must be developed and considered in concert with review of the proposed Industrial Land Bank areas.

Mitigation of impacts on the continued use and viability of neighboring rural and agricultural lands, and the RCW 36.70a.367(3) stipulation that urban growth not occur on neighboring non-urban properties, may require enhanced setbacks and landscape buffers, that some peripheral roads not be improved to urban standards, and that new roads not be constructed all the way through the properties.

Given that the areas were officially designated by the County as Agriculture in 2004, the County must make new findings, in keeping with the decisions of the Western Washington Growth Management Board and the courts regarding the 2007 Comprehensive Plan amendments, which the Ackerland and Lagler properties qualify for conversion for rural industrial use. See discussion regarding de-designation of agricultural lands in the Narrative to the Application.

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?

Does not apply.

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

Does not apply.

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

Future major industrial development on the subject properties would likely increase traffic significantly on NE 117th and other local streets and highways. Additional public services and utility enhancements will likely be required.

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

Necessary improvements will be addressed in the required Industrial Land Bank Master Plan, based on regulations adopted with this amendment, and during Site Plan Review for any proposed major industrial development. Additional SEPA review will also be required at that time.

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

The designation of the properties as Industrial Land Bank for future industrial development does not, in itself, conflict with any local, state, or federal laws or requirements for the protection of the environment.

There have been concerns raised during a previous county-wide review of the Comprehensive Plan, and the available inventory of industrial and agricultural lands, that the de-designation of these properties as Agriculture AG-20 in favor of an Industrial designation would negatively impact the preservation of other agricultural lands and operations in the area. However, the previous consideration involved extending the VUGA to encompass the subject properties. That action was found by both the Western Washington Growth Management Board and the Superior Court to be deficient. The subject properties have since been removed from the VUGA by County action and their previous Agriculture AG-20 designation reapplied. The Lagler property on the east side of 117th Ave. does retain its 2004 Urban Reserve overlay designation and 3 parcels at the southern end of the Ackerland property also retain their Railroad Industrial Reserve overlay designation. The major portion of the Ackerland property is not covered by any urban overlay designation.

However, RCW 36.70a.067 does allow the designation of up to two large Industrial Land Bank areas outside of any urban growth area in order to accommodate large industrial enterprises that cannot be accommodated within any local urban growth area because of the lack of sizable properties. Several approval criteria related to necessity, environmental impact, natural resource lands, and master planning as summarized above at the end of the Land Use section of the SEPA checklist, do apply.

4838-3683-7655, v. 3