



Fred A. Johnson  
Attorney at Law

P.O. Box 98  
Cathlamet, WA 98612  
(360) 795-1071 (360)795-1072 Fax

June 7, 2021

RECEIVED

JUN 09 2021

WA State Department  
of Ecology (SWRO)

Washington State Department of Ecology  
Southwest Regional Office  
Attn: Panjini Balaraju, P.E.  
P.O. Box 47775  
Olympia, WA 98504-7775

Re: Facility Site ID# 61774897  
Cleanup Site ID# 6381

Dear Panjini:

I want to give you an update based upon our telephone conference of March 7, 2019, with regard to the lot that the Town of Cathlamet owns at 20 Butler Street, which lot is adjacent to the Bank of the Pacific parking lot, which is the subject of the above-reference cleanup site proceeding. As you may recall, the topic of the telephone conference was a proposed "pocket park" for the 20 Butler Street Lot. In the intervening time, the Town Council has had numerous conversations regarding the best use for the lot. Pursuant to the Town's Resolution No. 394-20, the Town has determined to continue the present use of the 20 Butler Street lot as a parking lot. I am enclosing herewith copies of the following environmental documents that the Town has prepared with regard to its plans to make improvements to the parking lot at 20 Butler Street:

1. DNS Determination Form published in the Wahkiakum County *EAGLE* on June 3, 2021.
2. Preliminary Plan

As you will note, the Town is no longer proposing a park. The Town is now proposing a 14-space parking lot with one electric vehicle charging station. The Town's determination made in accord with its SEPA Ordinance (Chapter 14.05 of the Cathlamet Municipal Code) is that the parking lot is categorically exempt under WAC 197-11-800(b)(b)(iv) [parking lots for twenty or fewer automobiles not associated with a structure]. However, in order to be conservative in its analysis, the Town also made the DNS threshold determination noted above.

With respect to the Restrictive Covenant that applies to the 58 Main Street Parking Lot owned by the Bank of the Pacific, please note that on the northerly side of the Town's parking lot there will be a five-foot wide concrete sidewalk built according to WSDOT Standard

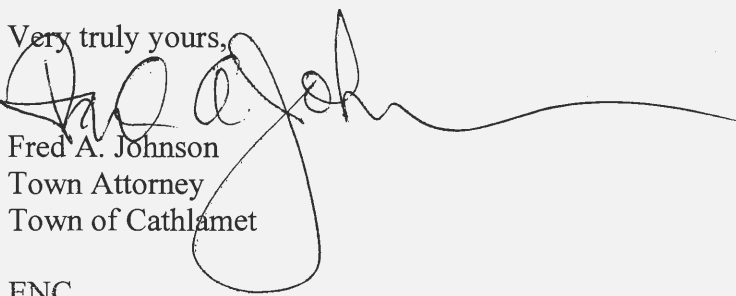
Specifications. As shown on the sketch, there will be small grass-covered areas on each side of the parking lot.

The sidewalk will be constructed flush against the existing six-inch wide retaining wall that is on the Bank of Pacific's property at 58 Main Street. The construction of the five-foot wide sidewalk is consistent with the understanding reached in our conversation of March 7, 2019, which conversation included input from Assistant Attorney General Allyson Bazan and comments from Mr. Andrew Smith of D.O.E. In that conversation the Town agreed to put a 36-inch asphalt cap along the bank's retaining wall to assure that there will be no disturbance of the remaining pollutants under bank's retaining wall. After consulting with our project architect, we decided to widen the barrier to 60 inches to further protect that area from disturbance. The proposed improvements to the parking lot are all in what Mr. Smith referred to as the "clean area" of the 20 Butler Street Lot [that is the area that is green in the document which is attached to the Restrictive Covenant – a copy of which is enclosed for ease of reference]. As you may recall, Mr. Smith began our conversation of March 7, 2019, by stating that it was D.O.E.'s position that no restrictions contained in the Restrictive Covenant apply to the "clean area." Moreover, the Town's current parking lot proposal would not violate any terms of the Restrictive Covenant even if those terms were applicable to any of the project area. The Town's proposed project is "staying away from the bank's wall" as AAG Bazan summarized D.O.E.'s concern.

As previously agreed, the Town is providing the enclosed project sketch and is asking that D.O.E. concur in writing that the proposed parking lot is acceptable.

Should you need any additional information, please let me know. The Town is willing to cooperate with you in any way. Thank you for your assistance.

Very truly yours,



Fred A. Johnson  
Town Attorney  
Town of Cathlamet

ENC.

FAJ:tj

cc: Sarah Clark, Town Clerk-Treasurer

**TOWN OF CATHLAMET, WASHINGTON  
WAC 197-11-970 DETERMINATION OF  
NON-SIGNIFICANCE (DNS)**

**DESCRIPTION OF PROPOSAL:**

The Town is planning to install a level 3 electric vehicle charging station and perform general site improvements at a town-owned parking lot located at 20 Butler Street, Cathlamet, WA 98612. Site improvements include adding green space, up 14 total marked parking spaces, including one ADA stall and 5-foot wide sidewalks, a kiosk with public-use WiFi, and the installation of the EV charger.

**PROPONENT:** Town of Cathlamet

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** 375 2nd Street, Cathlamet, WA 98612

**LEAD AGENCY:** Town of Cathlamet

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 WAC 197-11-355. There is no further comment period on the DNS.

☒ 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 submitted by: June 17, 2021

This project is considered categorically exempt pursuant to WAC 197-11-800(1)(b)(iv). This exemption includes parking lots for twenty or fewer automobiles not associated with a structure."

**RESPONSIBLE OFFICIAL:** David McNally  
**POSITION/TITLE:** Public Works Superintendent  
**ADDRESS:** 375 2nd Street  
Cathlamet, WA 98612

**DATE:** 5/19/2021 **SIGNATURE:** \_\_\_\_\_

**Publish:** June 3, 2021



TOWN OF CATHLAMET, WASHINGTON  
RESOLUTION NO. 394- 20  
EXHIBIT A

