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NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z1500078COMP

PROPONENT: Avista Corporation

DESCRIPTION OF PROPOSAL: The proposal is to change the land use of fourteen properties, a total of 2.78 acres in size, from "Residential 15-30" to "Light Industrial." If the requested Comprehensive Plan amendment is approved, the zoning would be changed from "Residential Multi-Family" to "Light Industrial." No specific development proposal is being approved at this time.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 1604, 1610, 1618, 1622, 1626, 1630, and 1702 E North Crescent Avenue and 1603, 1609, 1613, 1619, 1623, 1629, and 1703 E Ross Court, located immediately northeast of the Avista Headquarters (parcels 35093.1106 to 1107, and 35093.1201 to 1212). Legal Description: Ross Park, Holes Subdivision Lots 1-4, parts of 5 and 6, and all of 7-12, as well as Ross Park, Wilkinson Subdivision Lots 6 and 7, all within SW1/4, Section 9, Township 25 North, Range 43 East, Willamette Meridian.

LEAD AGENCY: City of Spokane

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 p.m. on September 13, 2016, if they are intended to alter the DNS.

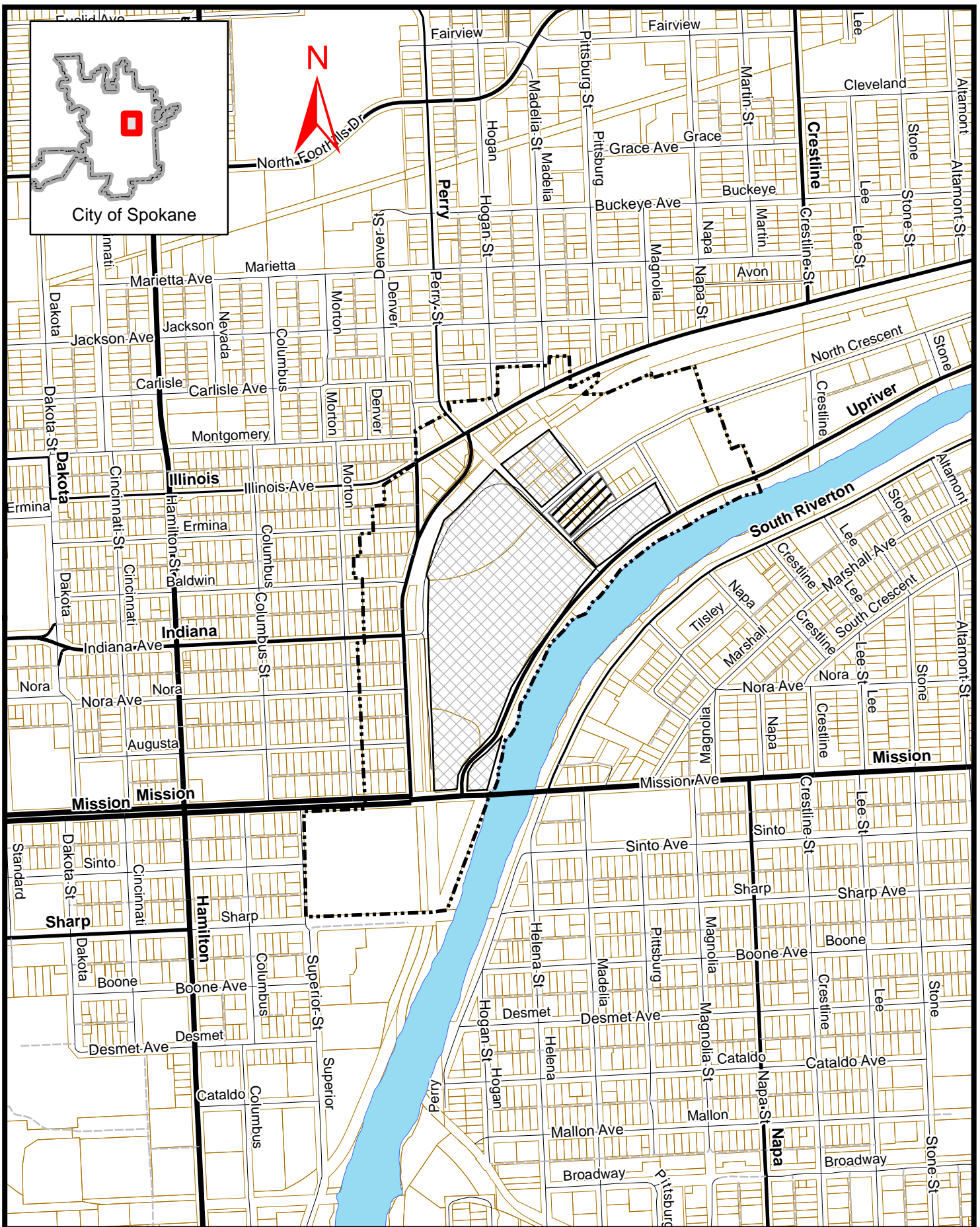
Responsible Official: Lisa D. Key

Position/Title: Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: August 23, 2016 **Signature:** Lisa D. Key

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is 5 p.m. on September 13, 2016 (21 days from the date of the signing of this MDNS). 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.



Legend

- Parcels
- Notification district
- Project Site
- Adjacent Ownership

APPLICANT: Avista Corporation
PROPOSAL: Proposed Comprehensive Land Use Plan Map
 Revision from R15-30 to Light Industrial and
 Zone Change from RMF to LI

Prepared by: WTC
 Date prepared: 11/02/15
 QC'd by:
 Date QC'd:

SE 1/4 8-25-43; W 1/2 9-25-43; NE 1/4 17-25-43

ENVIRONMENTAL CHECKLIST

OCTOBER 2015

Environmental Checklist

File No. _____

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply.*"

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Avista Comprehensive Plan/Land Use Code Amendment

2. Name of applicant:

Avista Corporation

2. Address and phone number of applicant or contact person:

*Robin Bekkedahl
Avista Corporation
PO Box 3727 MSC-21
1411 East Mission Avenue
Spokane, Washington 99220*

4. Date checklist prepared:

October 6, 2015

5. Agency requesting checklist:

City of Spokane

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

Requesting consideration of the Comprehensive Plan and Zone Change in the City's 2016 annual amendment cycle.

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

This checklist is for the comprehensive plan/land use amendment process only at this time. Avista has no future plans to rezone any additional areas within this vicinity. .

- b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.

This proposal is owned by and adjacent to the Main Avista campus, which totals approximately 37.2 acres.

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

An Environmental Checklist in August 2015 for the Center Street realignment, drainage swale construction, and shorelines permitting.

An Environmental Checklist for a new Avista building and storage yard relocation was submitted in August, 2014, which evaluated improvements adjacent to this proposal. This Checklist is incorporated by reference.

The Ross Court bio-infiltration swale was submitted in June 2015.

A transportation impact analysis for the realignment of North Center Street, prepared by Morrison Maierle, Inc., was submitted with the Center Street alignment and vacation request to the City.

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.

No other government approvals or permits will be needed for the Comprehensive Plan/Land Use Amendment request.

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.

Avista is requesting an amendment to the comprehensive plan and land use designation to Light Industrial for approximately 2.8 acres adjoining the existing Avista campus and owned by Avista Corporation to allow for uses associated with Avista campus operations. This section of property was initially planned in 2012 to be rezoned. (See the attached map).

12. Location of the proposal. Give sufficient information to 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 application related to this checklist.

The proposed comprehensive plan/land use designation change is bound by North Crescent Ave. to the north, existing North Center Street to the west, and Ross Court to the south. The eastern boundary includes and Lots 6 and 7, Wilkinson Subdivision of a part of Ross Park Addition Block 1 (See the attached map and legal description).

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

Yes, all of the above.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

N/A. This is a non-project action.

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

N/A. This is a non-project action.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.

N/A. This is a non-project action.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

N/A. This is a non-project action.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

Depths to groundwater and bedrock are unknown. A geotechnical evaluation was completed by Allwest, which included a test pit on the north side of the proposed swale in March 2015. This test pit, excavated to a depth of 15 feet, showed no groundwater to that depth.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

N/A. This is a non-project action.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other:*

Flat.

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

Approximately 4%.

- 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.

Recent evaluation indicates that the soil is generally silty sand for the top 6", silty gravel with sand from 6" to 4' deep, and poorly graded gravel with silt and sand from 4' to 15' below existing grade.

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

No

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

N/A. This is a non-project action.

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

N/A. This is 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. This is a non-project action.

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

N/A. This is a non-project action.

2. Air

- a. What type 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.

N/A. This is 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. This is a non-project action.

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

N/A. This is a non-project action.

3. Water

- a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The Spokane River is south of the Avista ownership.

- (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. This is a non-project action.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A. This is 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. This is a non-project action.

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

No.

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

N/A. This is a non-project action.

b. GROUND:

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

N/A. This is a non-project action.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

N/A. This is a non-project action.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) 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. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is a non-project action.

4. Plants

Evaluation for
Agency Use
Only

- a. Check or circle type of vegetation found on the site: *All existing vegetation is non-native ornamental*

X _____ Deciduous tree: *alder, maple, aspen, other.* **Ornamental**

X _____ Evergreen tree: **fir**, *cedar, pine, other.* **Fir trees**

X _____ Shrubs **Ornamental**

X _____ Grass (**Lawn**)

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, cattail, buttercup, bullrush, other.

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

_____ Other types of vegetation

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

N/A. This is a non-project action.

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

No threatened or endangered species are known to be on or near the site.

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

N/A. This is a non-project action.

5. Animals

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

birds: hawk, heron, eagle, *songbirds*, other: **songbirds, osprey, geese, other.** mammals: deer, bear, elk, beaver, other: **Rodents, other.** fish: bass, salmon, trout, herring, shellfish, other: **None.**

Predominantly song birds, and smaller mammals within the existing lawn area and North Center Street corridor.

- 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:

N/A. This is a non-project action.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, 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. This is a non-project action.

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

N/A. This is 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. This is 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. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is 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)?

None that affect this project.

- (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. This is a non-project action.

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

N/A. This is a non-project action.

8. Land and shoreline use

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

The site is currently vacant.

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

No.

- c. Describe any structures on the site.

There are currently 12 existing residences and outbuildings on the proposed property.

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

All existing structures owned by Avista Corporation lying east of the current North Center Street will be relocated or demolished.

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

The proposed site is zoned Residential Multi-Family (RMF).

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

Residential 15-30.

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

N/A

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

No.

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

N/A. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is 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. This is 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. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is 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. This is a non-project action.

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

N/A. This is a non-project action.

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

Lawn area will be replaced with native and adaptive plantings.

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. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is a non-project action.

12. Recreation

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

The Spokane River Centennial Trail is located adjacent to the Avista Mission Campus on the southeasterly area. The Mission Park is located immediately to the south of the campus area.

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

N/A. This is 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. This is a non-project action.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

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

None known.

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

N/A. This is a non-project action.

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.

Upriver Drive and Mission Avenue are adjacent to the project areas. North Center Street serves the Avista Campus.

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

Yes.

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

N/A. This is a non-project action.

- 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).

N/A. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is a non-project action.

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

N/A. This is 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, health care, schools, other)? If so, generally describe.

N/A. This is a non-project action.

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

N/A. This is 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:

(Those underlined above)

- 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. This is a non-project action.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date:

Oct 22, 2015

Signature:

[Signature]

Please Print or Type:

Proponent:

ANISTA CORP / ROBIN BEKKEDAH

Address:

1411 E MISSION AVE

Phone:

509-495-8657

SPOKANE, WA 99220

Person completing
form (if different from proponent):

Frank R. Ide, Taylor Engineering, Inc.
106 W. Mission Ave., Spokane, WA 99201
(509) 328-3371

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: _____

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☐ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

**Proposed Comprehensive Land Use Designation Change from
Medium Density Residential to Light Industrial
And
Zoning Designation Change from RMF to LI**



D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not 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 elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

This property has historically been used for residential use. Whereas the Light Industrial designation allows a variety of uses, this site will become part of the Avista Campus and used for supportive services. Avista has a proven record of proactively pursuing environmentally sustainable design solutions and complying with all applicable environmental standards. There will be no manufacturing use, so there will be no discharges to water or emissions to air other than vehicular emissions, which currently exist. Noise is expected to predominantly be vehicular, similar to what presently exists.

Proposed measures to avoid or reduce such increases are:

North Center Street is proposed to be re-routed to the east under separate application. This relocation, and associated walls and landscaping, will provide a better buffer than what currently exists.

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

The site has historically been significantly altered. Its eventual development will not detrimentally affect plants, animals, fish, or marine life.

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

Perimeter landscaping and street trees could provide a level of habitat for urban wildlife.

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

This proposal will not deplete energy or natural resources.

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

N/A.

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, flood plains or prime farmlands?

The proposal is for a zone change, which will not use or affect environmentally sensitive areas.

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

Avista will comply with all environmental regulations, as applicable, during specific project design.

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 proposal will not affect shoreline use, as it is not within a shorelines jurisdiction.

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

Avista will comply with all shorelines regulations for adjacent projects under their ownership which are within shorelines jurisdiction.

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

The re-designation of this property from Residential 15-30 to Light Industrial is not anticipated to increase demands on transportation or public services. All infrastructure to serve both the existing and proposed land use designations is currently in place with capacity to accommodate uses within either designation.

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

Individual project applications will be reviewed to ensure transportation, public services, and utility needs are met.

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

The proposal will not conflict with local, state, or federal laws or requirements for the protection of the environment.