

**State Environmental Policy Act (SEPA)
ENVIRONMENTAL CHECKLIST**

File No. _____

Myrtle Woldson Performing Arts Center Project, Gonzaga University

PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!

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: M. Woldson Performing Arts Center
2. Applicant: Gonzaga University
3. Address: 502 E Boone Avenue
City/State/Zip: Spokane, WA 99258-0081 Phone: 509-313-6951
Agent or Primary Contact: Kenneth R. Sammons, Director, Plant & Construction Services
Address: Gonzaga University, Plant & Construction Services, 502 E Boone Avenue
City/State/Zip: Spokane, WA 99258-0081 Phone: 509-313-6951
Location of Project: South of Knights of Columbus, 302 E Boone Ave & Parking, 214 E Boone Ave
Address: 211 East DeSmet Avenue
Section: 17 Quarter: 25 Township: 43 Range: EWM
Tax Parcel Number(s) 35172.2606, 35172.2710
4. Date checklist prepared: June 2016
5. Agency requesting checklist: City of Spokane, Planning Department
6. Proposed timing or schedule (including phasing, if applicable):
Construction to begin in Spring 2017
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
Several existing buildings adjacent this site may be updated or replaced over an extended period of time.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.
Gonzaga University owns land to the south, east, west and north of the site. One leased property exists on the west side of the site.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
None anticipated. No environmental issues, are expected. An existing parking lot will be demolished to make way for this project. Geo technical borings showed a small packet of debris containing a regulated chemical. This was reported to DOE at the time of the discovery, and will be removed and properly disposed of.

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

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

Building Permit and a rezone from OR-55 to OR-70 due to the height of the "fly loft" portion of the building that rises above the stage.

10. 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.

Construction of a new 57,550 square foot Performing Arts building on campus. This facility will be south of Boone Avenue and the adjacent alley, east of VanGorp Street, and on the vacated portion of DeSmet Avenue. The facility will provide music rehearsal space, 150 seat recital/rehearsal hall, 750 seat multi-use theater, performance support, lobby, staff operations and administrative space for the performing arts programs use. The building will target LEEDs Gold Certification.

11. 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 application related to this checklist.

The area affected is the east 200 Block of vacated Boone and vacated DeSmet Avenues and the north 1100 Block of VanGorp Street.

12. 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.)

The site is within the City of Spokane.

13. 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 storm water 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).

The structure will need drains to dispose of rain water and melting snow. These will be piped to either dry wells, "208 areas" (limited), or to the City sewer (as approved). A drain in the loading dock portion of the delivery area may need an oil/water separator (to be determined).

- (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? There will be no underground or above ground storage tanks. The vehicles delivering to the site will have fuel tanks containing gasoline or diesel fuel.

- (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.

Normal precautions associated with a Performing Arts and academic facility.

- (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 storm water disposal system discharging to surface or groundwater?

Routine cleaning supplies associated with a Performing Arts and academic facility.

b. Storm water

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

Usual depth is 35 feet when the soil type is alluvial sand and gravel.

(2) Will storm water be discharged into the ground? If so, describe any potential impacts.

System for disposal of rain water and melting snow may be piped to dry wells, "208" drainage swales, or may be piped to City Sewer System.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (check one):

☐ Flat ☒ Rolling ☐ Hilly ☐ Steep slopes ☐ Mountainous

Other: gentle slope from north east to southwest

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

5% slope from north to south (about an 8' grade change)

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Alluvial sand and gravel.

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

No

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

Limited excavation will be needed. In order to accommodate the rake of the auditorium floor, the stage, the orchestra pit, and the trap room below the stage, the site will be excavated to remove excess soils. Some of the excess may be used as fill on another Campus project.

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

Unlikely; site is gently sloped and well drained.

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

60-70%

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

None proposed, as none appear to be needed.

2. Air

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

Normal emissions associated with construction vehicles; vehicle emissions from vehicles arriving/departing the site; exhaust from natural gas-fired heating equipment.

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

None anticipated. None affect current operations.

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

None anticipated.

3. Water

- a. SURFACE WATER:

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

The Spokane River and Lake Arthur are adjacent or visible from the site.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. No.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None.

- (4) Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known. None.

(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.

None.

b. GROUNDWATER:

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

No.

(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.

None.

c. WATER RUNOFF (INCLUDING STORMWATER):

(1) Describe the source of runoff (including storm water) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

General rain or snow melt will percolate into the ground via "208" drainage swales and/or dry wells.

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

Accidental spills during construction, or discharge from a ruptured power transformer, or antifreeze and/or oil leaks from parked vehicles.

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. Yes – current parking area sheet drains to the lawn area to the south. The new building and its plaza will drain to 208 areas or dry wells with limited areas still continuing to sheet drain.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

Spill control measures will be used by the contractors; a spill prevention and countermeasures control plan is in effect that will direct actions relative to the transformer; oil and water separators may be used in the loading dock area if deemed necessary.

4. Plants

- a. Check the type of vegetation found on the site:

Deciduous tree: ☐ alder ☒ maple ☐ aspen

Other: Ornamentals

Evergreen tree: ☐ fir ☐ cedar ☒ scotch pine

Other: blue spruce

☒ Shrubs ☒ Grass ☐ Pasture ☐ Crop or grain

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bulrush ☐ skunk cabbage

Other: _____

Water plants: ☐ water lily ☐ eelgrass ☐ milfoil

Other: _____

Other types of vegetation: current parking lot is landscaped.

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

Landscaping will be added to the site: trees, grass, shrubs, etc. Some existing trees and landscaping will be removed to make way for the new Performing Arts Center.

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

None.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: Typical University landscaping will be used. Low Impact Development guidelines will be used where applicable/feasible.
- e. List all noxious weeds and invasive species known to be on or near the site. Not applicable.

5. Animals

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

Birds: ☒ hawk ☐ heron ☐ eagle ☒ songbirds

Other: osprey

Mammals: ☐ deer ☐ bear ☐ elk ☐ beaver

Other: squirrels, an occasional marmot, raccoon

Fish: ☐ bass ☐ salmon ☐ trout ☐ herring ☐ shellfish

Other: None

Other (not listed in above categories): A beaver lodge is located off the site in Lake Arthur.

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

None

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

Annual migration route in general.

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

Landscaping will add limited food and cover for songbirds, etc.

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

Not applicable.

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.

Electricity for theatrical lighting, HVAC fans and pumps, and general lighting; electricity for elevator; natural gas for heating.

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

Most adjacent sites are University owned. Structure shadow should not affect non-owned property.

- 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:

Energy efficient lighting, condensing boilers, energy star appliances, possible use of geo-thermal heat pumps, low "E" glazing, and heat reclaim. Building will try for LEED Gold and will comply with the new NREC codes.

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.

None during normal operations; limited exposure to vehicle fuels during construction, and from delivery vehicles; limited exposure from scenery or props used during theatrical productions.

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

Test borings showed one location of debris that would indicate the potential for limited contamination. This area will be excavated and the contamination removed and properly disposed of.

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

None - only possible exposure would be natural gas supply lines to the property.

- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None - only possible exposure would be from normal construction equipment or products.

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

Normal emergency services; no special services anticipated.

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

None proposed. Contractor to maintain spill equipment as required.

b. NOISE:

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

No impacts to current site; none expected after project construction. This facility will host musical productions and is adjacent to Music rehearsal facilities.

- (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.

Short term - construction during legal hours. Long term – the sound of pedestrians walking to and from the new structure; vehicles entering and exiting the loading dock area; rooftop HVAC equipment, sounds from musical productions or rehearsal spaces.

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

None should be needed. The building will be acoustically designed and controlled to prevent the transfer of sound from space to space. There may be occasional outdoor musical events in good weather.

8. Land and shoreline use

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

A private parking area and adjacent lawn area. Adjacent user will not be affected.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? No.

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

Not applicable.

c. Describe any structures on the site.

There is a Gonzaga University commemorative marker and plaque that will be relocated.

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

The current parking lot will be replaced by the new Performing Arts Center.

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

OR-55. A rezone request is being submitted, requesting a change to OR-70. The "fly loft" above the stage exceeds the 55' height limit. The rest of the building meets the 55' height limit.

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

Institutional

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

Not applicable

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

Not applicable

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

Non-residential. Routine staffing would be 5-10; on Performance nights, there will be seats for 750 plus performers.

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

Not applicable.

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

Not applicable.

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

This facility replaces a parking lot on this site. This use is consistent with the overall use of this portion of the campus. This facility will be the "anchor" and icon for the Arts District on the west campus.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Not applicable.

9. Housing

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

Not applicable.

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

Not applicable.

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

Not applicable

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?

75' at the highest point of the fly loft above the stage. The exterior will be brick, glass, and concrete (or a similar material).

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

The open area of the parking lot will become a large iconic building anchoring the west campus arts area.

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

None needed.

11. Light and Glare

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

Campus standard light posts will be used for path lighting during evening and night hours. Existing parking lot lights will be replaced by lights within the structure.

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

No, intended to enhance safety and provide a consistent campus "look."

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

None

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

None

12. Recreation

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

Campus recreation areas are nearby.

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

Not long term. Short term, the adjacent recreational field may be used as a lay down yard or temporary parking.

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

None. One could consider attendance at or participation in musical productions or dance performance as recreational.

13. Historic and cultural preservation

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

The original site of the first Gonzaga College building sits immediately to the north of the site.

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

St Al's Church is one block east of the project site. Gonzaga University structures or related uses have been on this site or in this area since 1887.

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

Polk Directories and Sanborn maps have been reviewed.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required

None

14. Transportation

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

Site is bounded by vacated DeSmet Avenue and vacated VanGorp Street, and vacated Boone Avenue. Access will be from Pearl Street and DeSmet Avenue.

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

Transit stops on Ruby Street, 1 block west of the site.

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

None. 128 spaces. The proposed project is on the west side of Campus. There are or will be over 600 parking spaces within a 2 block radius from the project (not counting housing sites). These 600 spaces are used by day for normal Campus activities, but largely empty by night and on weekends.

which will make them available for scheduled musical and musical theatre productions and other events.

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

None

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

No

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

(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).

3-5 new staff will be hired to operate the new facility. Otherwise all other routine users are currently using facilities adjacent this new one. The Woldson Performing Arts Center is largely for performances and contains only offices for the 3 – 5 support staff. On performance nights, up to 750 guests will come to the site, but a large percentage of those will be students who already reside on Campus, and who will walk to the production.

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

No

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

None. Additional signage directing patrons to available parking lots may be needed.

15. Public services

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

Area is currently patrolled by Campus Security. No additional public services needed.

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

None

16. Utilities

a. Check utilities currently available at the site:

- ☒ Electricity
- ☒ Natural gas
- ☒ Water
- ☒ Refuse service
- ☒ Telephone
- ☒ Sanitary sewer
- ☐ Septic system

Other: _____

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:

This project will use Gonzaga University electricity, phone, data, water and most likely Gonzaga University natural gas. The project will connect to City sewer and Comcast/Infinity Cable. A Gonzaga University surface parking lot will be demolished. Utility lines will be moved as needed and reconnected to the new facility.

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: 7/7/16

Signature: Kenneth R. Sammons
Director, Plant & Const. Services

Please Print or Type:

Proponent: Gonzaga University Address: 502 E Boone Avenue, Spokane WA 99258-0081

Phone: 509-313-6951

Person completing form (if different from proponent):

Kenneth R. Sammons, Director, Plant & Construction Services

Phone: _____ Address: _____

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.