



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

****RE-ISSUE****

SEPA

MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Firkins Rezone (Z-08-01) and Preliminary Plat (P-08-02)
- Description:** A rezone from Ag-20 to Ag-3 together with a Preliminary Plat to subdivide approximately 15.03 acres of land into five (5) lots.
- Proponent:** Cam Sherwood
3323 Brickmill Road
Ellensburg, WA 98926
Representing Charles Firkins, landowner
- Location:** The project is located east of the City of Ellensburg, north of Vantage Highway, east of Wilson Creek Road on Game Farm Road, Ellensburg, WA 98926, and is located in a portion of Section 29, T18N, R19E, WM, in Kittitas County. Specific map numbers 18-19-29040-0008 and 18-19-29040-0009.
- Lead Agency:** Kittitas County Community Development Services

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. The lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. These mitigation measures include the following:

The following conditions shall also apply based on the project specific analysis:

I. Transportation

- A. The applicant shall be responsible for meeting or exceeding all conditions and requirements set forth by the Department of Public Works, as listed in the attached memorandum.
- B. There shall be only two access points off of Game Farm Road to serve the proposed subdivision. The two allowed accesses are those shown on the preliminary drawings. One access easement shall serve lots 3, 4 and 5 and end in a cul-de-sac. Lots 4 and 5 shall be accessed from a joint-use driveway beginning at said cul-de-sac.
- C. Lot 3 shall not be allowed direct access solely to and from Game Farm Road, but rather shall use the proposed easement as shown on the preliminary drawings.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

II. Air

- A. If the applicant plans to burn trees or debris from the property, the applicant shall obtain a burn permit from the Department of Ecology. Only natural unprocessed vegetation may be burned in an outdoor fire. It is the applicant's responsibility to contact the Department of Ecology regarding this permit.
- B. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the project site. Additionally, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts or damaging property or business. As a result, the applicant shall be responsible for creating a site-specific Fugitive Dust Control Plan (FDCP) before starting this project. The plan shall be followed throughout the duration of any activity and construction of the project.

III. Water

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology.
- B. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology; this includes the use of water for irrigation. Legally obtained water must be used on-site.
- C. The existing well located on lot one (1) of the Firkins Plat (P-08-02) shall be used as a shared well between lot one (1) and lot two (2) of the plat.
- D. A water user's agreement shall be created and signed to serve lot one (1) and lot two (2) for the purpose of designating water to both lots and sharing in the expenses of the maintenance of the well. The applicant shall contact Kittitas County Environmental Health regarding this requirement.
- E. A plat note shall be added as follows:

The existing well located on Lot 1 of the Firkins Plat (P-08-02) shall be a shared well between lot one (1) and lot two (2) of the plat and shall enter into a water user's agreement for the purpose of designating water to both lots and sharing the expenses of the maintenance of the well.

- F. The applicant shall develop a "Group B" water system to serve lots three (3), four (4), and five (5) of the Firkins Plat (P-08-02). The "Group B" water system will be designed by a licensed engineer and approved by Kittitas County Environmental Health.
- G. The required "Group B" water system shall either be in place prior to final plat approval or be legally bonded for the cost of construction by the applicant prior to final plat approval. The applicant shall complete a Group B Workbook application which includes drilling a well/wells and design of the well house/structure, pump tanks and storage tanks. Approval shall include the drilling of the well along with demonstration that adequate water supply exists to support the proposed plat.
- H. The "Group B" water system cannot be used for irrigation purposes.
- I. Flow meters must be installed both at the well head and on each individual lot of the "Group B" water system. Records documenting water usage both at the well head and each individual lot must be maintained and available for public inspection.

J. A plat note shall be added as follows:

Lot 3, Lot 4 and Lot 5 of the Firkins Plat (P-08-02) shall be served by a "Group B" water system, designed by a licensed engineer and approved by Kittitas County Environmental Health.

K. A plat note shall be added as follows:

All wells for this plat shall be metered, including the shared well located on Lot 1, so as not to exceed the single groundwater withdrawal exemption of 5,000 gallons per day as set forth by the Department of Ecology. Water use data should be recorded by the property owner of the well on a monthly basis and Department of Ecology personnel shall have access at reasonable times to the records of water use.

L. A plat note shall be added as follows:

The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.

M. Washington Administrative Code (WAC) 173-150 provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If the water supply in your area becomes limited your use could be curtailed by those with senior water rights.

IV. Irrigation Services

- A. The applicant shall submit a water distribution plan to the Kittitas Reclamation District outlining water conveyances and provisions for distribution for each proposed lot in the subdivision.
- B. Irrigation delivery shall not be impaired at any time to the surrounding farming practices and all costs associated with any potential relocation of irrigation delivery routes shall be the burden of the developer and not that of the surrounding landowners.

V. Light and Aesthetics

- A. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

VI. Noise

- A. Development and construction practices for this project shall only occur between the hours of 7:00am to 7:00pm to minimize the effect of construction noise on nearby residential properties.

VII. Public Safety

- A. Addresses of all new residences shall be clearly visible from both directions at the county road.
- B. The applicant shall consult with the local school district to determine the safest location for a school bus stop and said location shall be depicted on the final mylars.

VIII. SEPA Review

This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 PM, Monday, May 12, 2008).

**Responsible
Official:**


Mackenzie Moynihan

Title: Staff Planner

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
(509) 962-7506 FAX 962-7682

Date: April 28, 2008

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, May 12, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.