

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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### State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** Osprey Solar Farm (CU-14-00004 & SD-14-00002) is a proposed 13.6 acre photovoltaic solar power generation facility. The project is proposed on a site that is zoned Agriculture 20. The proposal is classified under Kittitas County Code (KCC) 17.61.010(9) as a “major alternative energy facility” and as such is a conditional use in the Agriculture 20 zone (KCC 17.61.020[4]). This project also requires a Shoreline Substantial Development Permit under the State Shoreline Management Act and the Kittitas County Shoreline Master Program.
- Proponent:** One Energy LLC, authorized agent for Pat Taylor, landowner.
- Location:** 1 parcel, located approximately 3.5 miles northwest of Ellensburg on Highway 10 (US 97), in a portion of Section 20, T18N, R18E, WM in Kittitas County, bearing Assessor’s map number 18 18 20030 0006.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal will 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) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) 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. The mitigation measures include the following:

#### Water

- 1) A 70 foot buffer from the ordinary high water mark shall be placed on Dry Creek within the project parcel; no development, structures, excavation, or clearing of existing vegetation may occur within the buffer.
- 2) No additional flood control structures may be constructed on the project parcel.
- 3) Development shall be limited to the proposal as submitted; modifications or expansion of the development shall require additional environmental review.

## **Transportation**

- 4) The parcel's approach shall:
  - a) remain the same; no additional approaches to Highway 10/US 97 shall be permitted; and
  - b) be extended 50 feet from the centerline of US 97; and
  - c) have its permit updated.
- 5) A Fully executed Burlington Northern crossing permit shall be required.
- 6) The project shall comply with all aspects of the International Fire Code Appendix D including twenty (20) foot wide access roads.
- 7) Addressing shall be clearly visible from the road.
- 8) All gates shall be a minimum of 12' wide; if gates are locked, keys or equivalent shall be provided to all emergency services.
- 9) The dike road (defined by easement) shall remain free of encroachments, fences, structures, vehicles, and debris.

## **Stormwater**

- 10) On-site stormwater management that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington is required of this development. Stormwater systems shall be designed to store stormwater generated by a 24-hour, 25-year storm event. Development of the site shall be in conformance with the stormwater report furnished with the application; any deviation from the proposal as presented will require a stormwater report addendum, and may require at the discretion of the Planning Official, an amendment to the Conditional Use Permit.

## **Cultural Resources and Historic Preservation**

- 11) Should ground disturbing or other activities related to the proposed plat result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State DAHP. Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

## **Light and Aesthetics**

- 12) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties and Highway 10/US 97.

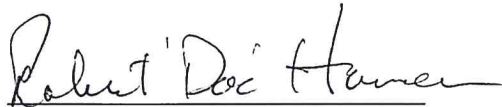
## **Noise**

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

## **Public Services**

- 14) Developed areas of the project shall maintain vegetation control for fire protection purposes; vegetation in an around solar panels and other infrastructure shall be kept at or below six (6) inches. Other vegetation control measures may be required by the Kittitas County Fire Marshal.

The above stated mitigation conditions listed above will be provided within conditions of the decision of the preliminary plat of approval.

**Responsible Official:**   
Robert "Doc" Hansen

**Title:** Planning Official

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7506 Fax: (509) 962-7682

**Date:** March 25, 2015

This Mitigated DNS is issued under WAC 197-11-355 and WAC 197-11-390; the lead agency will not act on this proposal for 10 working 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 on or before 5:00 pm, April 9, 2015.

**Pursuant to Chapter 15A.04.020 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 within 10 working days, or no later than 5:00 PM, April 9, 2015. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.**