

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: McIntosh Pond site, File #CUP-06-11

Description: Excavation of approximately 180,000 cubic yards of earthen materials on 2.99 of land zoned Agriculture-20.

Proponent: Scott McIntosh
7820 State Rte 97
Ellensburg, WA 98926

Location: Northwest of the City of Ellensburg and east of SR 97 Ellensburg, WA 98926 which is a portion of Section 08, T 18N., R 18E., W.M. in Kittitas County located on a portion of map number(s) 18-18-08020-0001 & 18-18-08020-0002 & 18-18-08020-0003.

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 apply based on the project specific analysis:

I. Transportation

- A. Access to the site is via SR 97. An approved access permit shall be obtained from WSDOT.
- B. The applicant shall be responsible for maintenance of the haul route, ensuring that SR 97 remains clear of any debris or materials associated with delivery of these materials. Any spilled materials shall be promptly cleaned up at the applicant's expense.
- C. If any lighting is proposed, it shall be directed down towards the site, and away from SR 97 and any adjoining properties.
- D. Prior to performing any work, the applicant shall obtain all required permits, including but not limited to; Washington Department of Transportation.

II. Water

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT • GIS

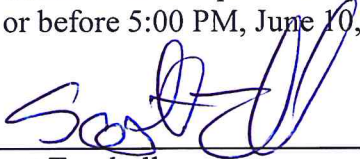
- A. The applicant is required to obtain an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan.
- B. Storm water and surface runoff generated by this project must be retained and treated on site in accordance with regulating agencies' standards.
- C. Any ground water withdrawals in excess of 5,000 gallons per day will require a permit from the Department of Ecology.
- D. Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in this area becomes limited your use could be curtailed by those with senior water rights.
- E. The applicant shall be required to obtain a Department of Ecology Sand & Gravel permit and said permit shall be submitted to Community Development Services prior to beginning any excavation.

III. Project

- A. The hours of operation shall be limited to 7:00am and 5:00 pm, Monday thru Friday. It shall be the applicant's responsibility to insure that the project does not pose any threat to public safety and shall take measures to reduce conflict with scheduled school bus stops, mail delivery, train traffic, etc.
- B. The project is related to two other Conditional Use Permit applications all of which have been issued an MDNS identical to this MDNS and the three projects consist of three separate excavations which are being implemented in three phases. Prior to the applicant beginning on phase two and three the county will conduct a site visit to ascertain whether any issues related to this SEPA MDNS or the site require further review by the Board of Adjustment. If the county determines from its site visit that there should be further review by the board of adjustment then the applicant will appear before the Board of Adjustment for the purposes of discussing and possibly mitigating any impacts associated with phase one or two.
- C. The applicant shall consult with Washington State Department of Fish and Wildlife on the implementation and restoration plan for the site prior to excavation and submit the approved plan to Community Development Services.

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, June 10, 2008.

**Responsible
Official:**



Scott Turnbull

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:

May 26, 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, June 10, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.