

State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** Iron Horse Solar Farm (CU-15-00006) is a proposed 47.5 acre photovoltaic solar power generation facility on approximately 68 acres. 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 requires the approval of a conditional use in the Agriculture 20 zone (KCC 17.61.020[4]).
- Proponent:** One Energy LLC, authorized agent for Bill Hanson, landowner.
- Location:** 4 parcels, located approximately 1 mile east of the City of Kittitas at 320 South Caribou Road, in a portion of Section 01, T17N, R19E, WM in Kittitas County, bearing Assessor’s map numbers 17-19-01000-0023, 17-19-01000-0028, 17-19-01000-0042, and 17-19-01000-0043.
- 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 100 foot buffer from the ordinary high water mark shall be placed on Caribou Creek within the project parcel; no development, structures, excavation, or clearing of existing vegetation may occur within the buffer.
- 2) The applicant shall develop a Riparian Planting Plan in conjunction with and approved by the Washington State Department of Fish and Wildlife (WDFW).

- 3) Required mitigation measures including but not limited to weed control, vegetation management, fire control and suppression, noise, visual aesthetics, and irrigation shall not encroach into the riparian buffer or conflict with the Riparian Planting Plan.
- 4) Any construction or maintenance work affecting the Caribou Creek, including the construction of bridges or culverts, installation of utilities under the channel (e.g. drilling, boring, jacking or open cut installations), bank or channel modifications, etc. will require a Hydraulic Project Approval from the WDFW.
- 5) This property is within the boundaries of the KRD and all parcels contain irrigable ground. The applicant will need to consult and comply with the requirements set forth in the KRD General Guidelines prior to final approval of the Conditional Use Permit.
- 6) The irrigation canal on the east side of the project shall have a 30 foot buffer from all project related development and operations. Weed, vegetation, and fire control measures shall prevail. No part of the project shall disrupt existing surface water rights or existing irrigation easements.
- 7) A floodplain development permit will be required for the construction of the fence in within the floodplain.
- 8) If the final development plan calls for the placement of panels in the Floodplain a Floodplain development permit will be required.
- 9) No flood control structures may be constructed on the project parcel.
- 10) Development shall be limited to the proposal as submitted; modifications or expansion of the development shall require additional environmental review.

Stormwater

- 11) An on-site Stormwater Management Plan 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. The Stormwater Management Plan shall be submitted to and approved by Kittitas County Public Works prior to final approval.
- 12) A Construction Storm water Permit may be required if over 1 acre of ground is disturbed for the project and there is a potential for discharge to waters of the state. This includes dewatering for foundation and utility trenching, access route, laydown, impervious pad construction and footings/foundations

Earth

- 13) A Fugitive and Construction Dust Control Plan utilizing best management practices found in the Dust Palliative Selection and Application Guide and the Eastern Washington Stormwater Management Manual (Chapter 7) shall be developed; the plan shall be submitted to and approved by Kittitas County Community Development Services prior to final approval.
- 14) A Grading Permit shall be obtained from the Kittitas County Public Works department prior to final approval.

Animals

- 15) The applicant shall develop an Incidental Avian Monitoring Plan in conjunction with, and approved by, the Washington State Department of Fish and Wildlife (WDFW). The plan and

program shall be required to be in effect for a period of five years. The plan will designate thresholds and metrics to establish if additional monitoring is required beyond a period of five years.

- 16) A WDFW representative shall be provided ongoing access to the site for the purposes of assessing, monitoring, and analyzing wildlife activities and behavior.

Vegetation

- 17) The Vegetation Management Plan Submitted as Appendix C within the Project Narrative shall be utilized as the foundational document for mitigation measures with respect to Vegetation Management, Weed Management, and Fire Protection. Final approval of the Conditional Use Permit will be subject to the approval as adjusted by the WDFW and the applicant for vegetation management, and the Kittitas County Noxious Weed Board and the applicant for weed management as noted in supplemental discussions, comments, exhibits, and submissions.
- 18) No vegetation control measures shall be utilized which might jeopardize the project site's future ability to return to productive agricultural use.

Transportation

- 19) The access approach must be designed and constructed to commercial standards, as shown in the WSDOT Design Manual Exhibits 1340-1 and 1340-2. A Kittitas County Access Permit is required prior to driveway construction. Access driveways will need to be designed to meet standards.
- 20) A road standards variance application will be required for additional approaches being requested. Current road standards allow for a single access to a parcel of land or to contiguous parcels of land under the same ownership.
- 21) If any creek or irrigation waterway is to be crossed by bridge, it will need to be engineered and posted for 75,000lb capacity.
- 22) The project shall comply with all aspects of the International Fire Code Appendix D including twenty (20) foot wide access roads.
- 23) Addressing shall be clearly visible from the road.
- 24) All gates shall be a minimum of 12' wide; if gates are locked, keys or equivalent shall be provided to all emergency services.
- 25) The Kittitas Reclamation District has a recorded right of way and associated service road abutting Caribou Creek (and by inference the project site) on the west side of the stream. This right of way is not on the subject parcels and as such will not be availed to any use for the project development, construction, or operation without explicit permission from the District.
- 26) The primary transporter route will use Interstate 90. Exit 115 to take Main St. North to Clerf Road and continue east on Clerf road before turning North on Caribou Road to access the Site via and access road on the west side of Caribou road. The applicant will make every effort to minimize traffic and its impacts to other State, County, and City streets and roads.

Under no circumstances shall construction or operational traffic related to the project utilize private roads.

Cultural Resources and Historic Preservation

- 27) 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

- 28) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties and associated roads and streets.
- 29) No portion of the solar panels and arrays shall exceed 8 feet in height at any time during the operation cycle.

Noise

- 30) 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 residences.

Public Services

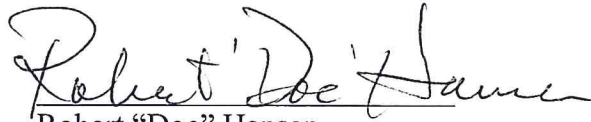
- 31) Vegetation management plan to be maintained in accordance with the Fire Prevention Plan in the Project Narrative
- 32) A site plan to be provided for emergency responders prior to the site producing electricity.
- 33) Facility management will provide on-site training to KVFR and other emergency services personnel to assist in pre-incident planning and safe operations once the facility is producing electricity.
- 34) Fire department key access will be provided for site access and any control panels.

Reclamation

- 35) Financing of the decommissioning options must be approved by the county, and may include but not be limited to assignment of funds, a bond, or other financial measures equaling one hundred and twenty five percent (125%) of the estimated cost of the decommissioning efforts.
- 36) Broken, damaged, or non-functional panels will be disposed of through consultation with Kittitas County Solid Waste in a safe and environmentally responsible fashion.

The above stated mitigation conditions listed above will be provided within conditions of the decision of the conditional use permit approval.

**Responsible
Official:**


Robert "Doc" Hansen

Title: Interim Director/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: August 10, 2016

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, August 24, 2016.

Pursuant to Chapter 15A.04.020 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$780.00 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, August 24, 2016. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.