



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: Ryegrass LPL Expansion (CU-21-00003)

NOTIFICATION OF: Notice of Application

NOTIFICATION MAIL DATE: 12/13/2022

I certify that the following documentation:

- Notice of Application: Ryegrass LPL Expansion Conditional Use Permit (Dec. 2022)

has been mailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Signature

Jeremiah Cromie
Planner II
County of Kittitas
State of Washington

Subscribed and sworn to before me this 13th day of December, 2022

Stephanie Mifflin
Notary Public for the State of Washington residing
in Ellensburg.

My appointment expires:

12-23-23





KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926

cds@co.kittitas.wa.us

Office 509-962-7506

Building Partnerships - Building Communities

NOTICE OF APPLICATION

Notice of Application: December 13, 2022

Application Received: November 23, 2022 (New SEPA checklist, narrative/materials)

Application Complete: November 29, 2022

Project Name File Number: Ryegrass LPL Expansion (CU-21-00003)

Applicant: Kittitas County Solid Waste (Owner)

Location: Parcel 040833 located at 25900 Vantage Highway, Ellensburg, WA. In Section 16, Township 17N, Range 21E, W.M; Kittitas County parcel map number 17-21-16030-0001.

Proposal: Kittitas County Solid Waste, landowner is proposing an expansion of 16.6 acres to their existing 13.5-acre limited purpose landfill on the property. The subject property is zoned Forest & Range. This proposal was originally heard back in the Fall of 2021 and was approved but then was overturned and remanded back to the County under Yakima County Superior Court Order 21-2-02062-39 for a new SEPA checklist and environmental review for the conditional use permit of which both were found to be invalid.

Materials Available for Review: The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx>, under "Conditional Use Permits" under permit number "CU-21-00003 Ryegrass LPL Expansion". All files prior to the Court Case can be seen in the "CU-21-00003 Ryegrass LPL Expansion Complete Record (Master File Index) to Superior Court Case" file and associated index file for superior court. The Complete Record File is bookmarked for convenience and reference. All other files are current for the application going forward. Phone: (509) 962-7506

Written Comments on this proposal can be submitted to CDS any time prior to **5:00 p.m. on Tuesday, January 3, 2023**. Any person has the right to comment on the application and request a copy of the decision once made.

Environmental Review: The County expects to issue a Determination of Non-Significance (DNS) for this proposal and will use the optional DNS process under WAC 197-11-355, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Hearing Examiner. A Public Hearing Notice will be issued establishing the date, time, and location of this hearing.

Required Permits: Conditional Use Permit, SEPA

Required Studies: None anticipated

Designated Permit Coordinator (staff contact): Jeremiah Cromie, Staff Planner: (509) 962-7046; email at jeremiah.cromie@co.kittitas.wa.us

Kittitas County Deputy Fire Marshal
Joe.dietzel@co.kittitas.wa.us

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Christine McCroskey
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Sandi Ryan
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From: Megan Breckenridge <mbreckenridge@kvnews.com>
Sent: Friday, December 9, 2022 9:08 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: Ad: 313021 / Re: CU-21-00003 Ryegrass LPL Expansion (Publishing) Dec. 2022 - Notice of Application

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Happy Friday, Jeremiah,

Please see attached for your legal proof scheduled to run on December 13.

Please let me know if you approve.

Thank you and have a nice weekend!

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, December 9, 2022 8:43 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>; KVNews Legals <legals@kvnews.com>
Subject: CU-21-00003 Ryegrass LPL Expansion (Publishing) Dec. 2022 - Notice of Application

CAUTION, this email originated from outside the organization.

Good morning,

Please publish the attached legal in the Daily Record on **December 13, 2022**.

Let me know if there are any questions or issues.

Jeremiah Cromie

NOTICE OF APPLICATION

Project Name (File Number): Ryegrass LPL Expansion (CU-21-00003)

Applicant: Kittitas County Solid Waste (Owners)

Location: 1 parcel #040833, in a portion of Section 16, T17N, R21E, WM in Kittitas County, bearing Assessor's map number 17-21-16030-0001.

Proposal: Kittitas County Solid Waste, landowner is proposing an expansion of 16.6 acres to their existing 13.5-acre limited purpose landfill on the property. The subject property is zoned Forest & Range. This proposal was originally heard back in the Fall of 2021 and was approved but then was overturned and remanded back to the County under Yakima County Superior Court Order 21-2-02062-39 for a new SEPA checklist and environmental review for the conditional use permit of which both were found to be invalid.

Materials Available for Review: The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at <https://www.co.kittitas.wa.us/gds/land-use/default.aspx>, under "Conditional Use Permits" under permit number "CU-21-00003 Ryegrass LPL Expansion". All files prior to the Court Case can be seen in the "CU-21-00003 Ryegrass LPL Expansion Court Case" file and associated index file for superior court. The Complete Record File is bookmarked for convenience and reference. All other files are current for the application going forward.

Written Comments on this proposal can be submitted to CDS any time prior to **5:00 p.m. on Tuesday, January 3, 2023**. Any person has the right to comment on the application and request a copy of the decision once made. Environmental Review (SEPA): The County expects to issue a Determination of Non-Significance (DNS) for this proposal and will use the optional DNS process under WAC 197-11-355, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Hearing Examiner. A Public Hearing Notice will be issued establishing the date, time, and location of this hearing.

Required Permits: Conditional Use Permit, SEPA

Required Studies: None

Designated Permit Coordinator (staff contact): Jeremiah Cromie, Staff Planner: (509) 962-7046; email: jeremiah.cromie@co.kittitas.wa.us

Notice of Application: December 13, 2022

Application Received: November 23, 2022 (New SEPA checklist, narrative/materials)

Application Complete: November 29, 2022

Publication Date: Tuesday, December 13, 2022

PUBLISHER: Daily Record: December 13, 2022 / LEGAL

313021



ADVERTISING PROOF

401 N Main St,
 Ellensburg, WA 98926
 Ph. (509) 204-8250 Fax: (907) 452-5054

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12/09/22	50096

DAN CARLSON
 KC COMMUNITY DEVELOPMENT SERVICES
 411 N. RUBY ST, SUITE 2
 ELLENSBURG, WA 98926

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
313021	NOTICE OF APPLICATIO	12/13/22	12/13/22	2	\$181.75

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount: **\$0.00**
 Surcharge: **\$0.00**
 Credits: **\$0.00**

Gross: **\$181.75**
 Paid Amount: **\$0.00**

Amount Due: \$181.75

We Appreciate Your Business!

From: [Megan Breckenridge](#)
To: [Jeremiah Cromie](#)
Subject: Re: 313021 / Re: CU-21-00003 Ryegrass LPL Expansion (Publishing) Dec. 2022 - Notice of Application
Date: Friday, December 9, 2022 11:52:25 AM

CAUTION: This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Thank you for your final approval, Jeremiah!

Have a nice weekend!

Megan Breckenridge

Advertising Assistant
Ellensburg Daily Record
Office: (509) 925-1414, ext. 570253
Direct Dial: (509) 204-8250
mbreckenridge@kvnews.com / legals@kvnews.com
[MY OFFICE HOURS: MON-FRI: 8:00am-4:00pm]

From: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Sent: Friday, December 9, 2022 11:50 AM
To: Megan Breckenridge <mbreckenridge@kvnews.com>
Subject: RE: 313021 / Re: CU-21-00003 Ryegrass LPL Expansion (Publishing) Dec. 2022 - Notice of Application

CAUTION, this email originated from outside the organization.

Megan,

This looks fine and I give approval.

Thanks.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: [Jeremiah Cromie](#)
To: [Joe Dietzel](#); [Kim Dawson](#); ["long@kittcom.org"](#); [Julie Kiorsvik](#); [Toni Berkshire](#); [PublicHealth Inspectors](#); [Melissa Schumaier](#); [Lisa Lawrence](#); [Patti Stacey](#); [Kelee Hodges](#); [Candie Leader](#); [David Ohl](#); [Codi Fortier](#); ["enviroreview@yakama.com"](#); ["corrine_camuso@yakama.com"](#); ["jessica_lally@yakama.com"](#); ["noah_oliver@yakama.com"](#); ["casey_barney@yakama.com"](#); ["kozi@yakamafish-nsn.gov"](#); ["matj@yakamafish-nsn.gov"](#); ["barh@yakamafish-nsn.gov"](#); ["tebu461@ecy.wa.gov"](#); ["lowh461@ECY.WA.GOV"](#); ["FormerOrchards@ecy.wa.gov"](#); ["wendy.neet@ecy.wa.gov"](#); ["crosepa@ecy.wa.gov"](#); ["lcar461@ecy.wa.gov"](#); ["ksar461@ECY.WA.GOV"](#); ["JRTV461@ECY.WA.GOV"](#); ["Scott.Downes@dfw.wa.gov"](#); ["Jennifer.Nelson@dfw.wa.gov"](#); ["Elizabeth.Torrey@dfw.wa.gov"](#); ["sepa@dahp.wa.gov"](#); ["jorgenja@cwu.edu"](#); ["nelmsk@cwu.edu"](#); [Jeremy Larson](#); [Steph Miffin](#); ["russell.mau@doh.wa.gov"](#); ["rivers@dnr.wa.gov"](#); ["brenda.young@dnr.wa.gov"](#); ["luke.warthen@dnr.wa.gov"](#); ["SEPACENTER@dnr.wa.gov"](#); ["Garren.Andrews@dnr.wa.gov"](#); ["MARTIN.MAUNFY@dnr.wa.gov"](#); ["brooksideconsulting@gmail.com"](#); ["tribune@nkctribune.com"](#); ["terry@nkctribune.com"](#); ["mbreckenridge@kvnews.com"](#); ["legals@kvnews.com"](#); ["Deborah.i.knaub@usace.army.mil"](#); ["Jenae.N.Churchill@usace.army.mil"](#); ["lhendrix@usbr.gov"](#); ["mark.a.gradwohl.civ@mail.mil"](#); ["Kimberly.peacher@navy.mil"](#); ["Robert.d.bright10.civ@army.mil"](#); [Haley Mercer](#); [Christy Garcia](#); ["steve@snoqualmietribe.us"](#); ["dahp@snoqualmietribe.us"](#); ["adam@snoqualmietribe.us"](#); ["guy.moura@colvilletribes.com"](#); ["Aren.Orsen.HSY@colvilletribes.com"](#); ["sam.rushing@colvilletribes.com"](#); [matt.boast@kittitaspud.com](#); ["Brian.ingalls@pse.com"](#); ["Dtsmith@BPA.gov"](#); ["kimberly.lamed@usda.gov"](#); ["Jacob.Prilucik@wsdot.wa.gov"](#); ["SCPlanning@wsdot.wa.gov"](#); ["AviationLandUse@wsdot.wa.gov"](#); ["ken.graham@parks.wa.gov"](#); ["lonnie_allphin@ksd403.org"](#); [Rich Elliott](#); ["delvoj@kvfr.org"](#); ["Iton.Logan@faa.gov"](#); ["sagehillshoa@gmail.com"](#); ["mark_spisak@hotmail.com"](#); ["nelscharli1970@gmail.com"](#); ["heatherp0416@gmail.com"](#); ["jimandnancyharry@gmail.com"](#); ["wafiregirl@gmail.com"](#); ["sandrajaynedesigns@gmail.com"](#)
Cc: [Dan Carlson](#); [Kelly Bacon \(CD\)](#); [Chace Pedersen](#)
Subject: CU-21-00003 Ryegrass LPL Expansion - Notice of Application Dec. 2022
Date: Tuesday, December 13, 2022 9:56:34 AM
Attachments: [CU-21-00003 Ryegrass LPL Expansion Original June 2021 SEPA DNS Withdrawal 12-13-22.pdf](#)
[FINAL Ryegrass SEPA Checklist 20221129 - Signed.pdf](#)
[Court Order No. 21-2-02062-39 Yakima County.pdf](#)
[CU-21-00003 Ryegrass LPL Expansion Notice of Application Dec. 2022.pdf](#)

Good morning,

CDS is requesting comments on the following Conditional Use Permit application: **CU-21-00003 Ryegrass LPL Expansion**. This was originally heard and approved back in the fall of 2021 but the SEPA checklist and Conditional Use Permit were found to be invalid by Yakima County Superior Court Order 21-2-02062-39 through the Land Use Petition Act (LUPA) appeal. The Court remanded the matter back to the County to redo the SEPA threshold determination and the conditional use permit. As such, the County withdraws the original SEPA DNS threshold determination (see attached file). The files up to the Superior Court case can be found in the file "*CU-21-00003 Ryegrass LPL Expansion Complete Record (Master File Index) to Superior Court Case*" (bookmarked for reference) and associated index file "*CU-21-00003 Ryegrass LPL Expansion & SEPA Appeal Complete Record Index for Superior Court*". All other files online are current for the pending application.

As the SEPA checklist attachment is too big for this e-mail, please find it in the online files (or application files if internal) under the file name "*2022 Ryegrass_SEPA_Checklist_Attachments_20221115*"

Links to the file materials can be found below. **The comment period will end at 5:00 PM (PST) on Tuesday, January 3, 2022.** CDS will assume you and/or your agency does not wish to provide comment if not received by this date. Please let me know if you have any issues accessing the materials or any questions.

[CU-21-00003 Ryegrass LPL Expansion - Internal](#)

[CU-21-00003 Ryegrass LPL Expansion - External](#)

If the links above do not work, please go the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to “Conditional Use Permits” and then the Project File Number “CU-21-00003 Ryegrass LPL Expansion”.

Please let me know if you have any questions.

Jeremiah Cromie
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Jeremiah Cromie

From: Jeremiah Cromie
Sent: Tuesday, December 13, 2022 10:18 AM
To: Joe Dietzel; Kim Dawson; 'long@kittcom.org'; Julie Kjorsvik; Toni Berkshire; PublicHealth Inspectors; Melissa Schumaier; Lisa Lawrence; Patti Stacey; Kelee Hodges; Candie Leader; David Ohl; Codi Fortier; 'enviroreview@yakama.com'; 'corrine_camuso@yakama.com'; 'jessica_lally@yakama.com'; 'noah_oliver@yakama.com'; 'casey_barney@yakama.com'; 'kozj@yakamafish-nsn.gov'; 'matj@yakamafish-nsn.gov'; 'barh@yakamafish-nsn.gov'; 'tebu461@ecy.wa.gov'; 'lowh461@ECY.WA.GOV'; 'FormerOrchards@ecy.wa.gov'; 'wendy.neet@ecy.wa.gov'; 'crosepa@ecy.wa.gov'; 'lcar461@ecy.wa.gov'; 'ksar461@ECY.WA.GOV'; 'JRIV461@ECY.WA.GOV'; 'Scott.Downes@dfw.wa.gov'; 'Jennifer.Nelson@dfw.wa.gov'; 'Elizabeth.Torrey@dfw.wa.gov'; 'sepa@dahp.wa.gov'; 'jorgenja@cwu.edu'; 'nelmsk@cwu.edu'; Jeremy Larson; Steph Mifflin; 'russell.mau@doh.wa.gov'; 'rivers@dnr.wa.gov'; 'brenda.young@dnr.wa.gov'; 'luke.warthen@dnr.wa.gov'; 'SEPACENTER@dnr.wa.gov'; 'Garren.Andrews@dnr.wa.gov'; 'MARTIN.MAUNEY@dnr.wa.gov'; 'brooksideconsulting@gmail.com'; 'tribune@nkctribune.com'; 'terry@nkctribune.com'; 'mbreckenridge@kvnews.com'; 'legals@kvnews.com'; 'Deborah.j.knaub@usace.army.mil'; 'Jenae.N.Churchill@usace.army.mil'; 'lhendrix@usbr.gov'; 'mark.a.gradwohl.civ@mail.mil'; 'Kimberly.peacher@navy.mil'; 'Robert.d.bright10.civ@army.mil'; Haley Mercer; Christy Garcia; 'steve@snoqualmietribe.us'; 'dahp@snoqualmietribe.us'; 'adam@snoqualmietribe.us'; 'guy.moura@colvilletribes.com'; 'Aren.Orsen.HSY@colvilletribes.com'; 'sam.rushing@colvilletribes.com'; matt.boast@kittitaspud.com; 'Brian.ingalls@pse.com'; 'Dtsmith@BPA.gov'; 'kimberly.larned@usda.gov'; 'Jacob.Prilucik@wsdot.wa.gov'; 'SCPlanning@wsdot.wa.gov'; 'AviationLandUse@wsdot.wa.gov'; 'ken.graham@parks.wa.gov'; 'lonnie_allphin@ksd403.org'; Rich Elliott; 'delvoj@kvfr.org'; 'llon.Logan@faa.gov'; 'sagehillshoa@gmail.com'; 'mark_spisak@hotmail.com'; 'nelscharli1970@gmail.com'; 'heatherp0416@gmail.com'; 'jimandnancyharry@gmail.com'; 'wafiregirl@gmail.com'; 'sandrajaynedesigns@gmail.com'
Cc: Dan Carlson; Kelly Bacon (CD); Chace Pedersen
Subject: RE: CU-21-00003 Ryegrass LPL Expansion - Notice of Application Dec. 2022

The date for comments due is January 3, 2023 not 2022.

Jeremiah Cromie
Planner II
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926
Office: 509-962-7046
jeremiah.cromie@co.kittitas.wa.us

From: Jeremiah Cromie
Sent: Tuesday, December 13, 2022 9:57 AM

