



## 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

### MITIGATED DETERMINATION OF NONSIGNIFICANCE

**File:** SEPA Checklist (SE-24-00010)  
Mallula-Dykes SEPA Application

**Description:** The applicants are proposing a shared access driveway, individual driveways, and new residences on both lots. This will involve the removal of trees within the area of the new accesses and residences. This will require an FPA permit from the Department of Natural Resources. A grading permit is also expected to be required by Kittitas County Public Works.

**Proponents:** Dana Mallary & Jonathan Dykes  
19336 22<sup>nd</sup> Ave. NW  
Shoreline, WA 98177-2830

Jeff & Shelia Mallula  
220304 SE 18<sup>th</sup> Ct.  
Sammamish, WA 98075

Theo Leonard, PE  
1015 E. 2<sup>nd</sup> St., 2-187  
Cle Elum, WA 98922

**Location:** The subject properties are parcels #952018 and #952019, approximately 900 ft. NW of Roslyn, WA in the SE ¼ of Section 7, Township 20, Range 15, in Kittitas County.

**Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that it 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 completed environmental checklist, and other information on file with the lead agency. This information is available to the public on request or can be viewed at the Kittitas County Community Development Services website at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "State Environmental Policy Act (SEPA)" using the file number "SE-24-00010 Mallula-Dykes."

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 mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

#### Critical Areas

- 1) A type 4 seasonal stream is identified to the north of the subject properties, however no activities are proposed within 100 feet of the identified stream.

#### Transportation

- 1) The applicant shall adhere to all applicable regulations as set forth in the current Kittitas County Road Standards.
- 2) The access locations shall be reviewed by the Kittitas County Department of Public Works to ensure that the access locations meet all applicable criteria for ingress/egress.
- 3) The Kittitas County Grading Ordinance requires a permit if grading activity in excess of 100 cubic yards occurs pursuant to KCC 14.05. Contact Kittitas County Public Works for information relating to permitting at 509-962-7523.

### **Water and Waste Disposal**

- 1) Adequate proof of water availability to serve the proposed project shall be provided to Kittitas County Water Resources to satisfy all requirements prior to or at the time of building permit submittal.
- 2) Any discharge of sewage into the ground shall require a site evaluation with the applicant working with a licensed on-site septic drainage system designer to design and install an appropriate system to handle any liquid waste generated by the project (WAC 246-272. Kittitas County Code chapter 13).

### **Stormwater**

- 1) All stormwater and surface runoff generated by this project shall be retained and treated on-site. If any is to be discharged off site a NPDES Construction Stormwater General Permit is to be obtained through the Department of Ecology Prior to any clearing, grading or construction.

### **Building**

- 1) All structures will meet Kittitas County Code Title 14

### **Fire**

- 1) All future development must comply with the International Fire Code (IFC) and Appendices

### **Cultural Resources and Historic Preservation**

- 1) Should ground disturbing or other activities related to the proposed project 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. In order to facilitate planning for this possibility, an Inadvertent Discovery Plan (IDP) must be in place prior to commencing this project.

### **Other**

- 1) The applicant shall obtain a Forest Practices Application (FPA) from the Washington State Department of Natural Resources if merchantable timber is removed/harvested as part of the proposal and/or is being converted out of forest land (RCW 76.09 and WAC 222). The FPA would need to meet the requirements of the Forest Practices Act and its rules.

This MDNS is issued under WAC 197-11-355; 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 on the grounds of noncompliance with the provisions of Chapter 43.21 RCW, shall be commenced on or before **April 12, 2024 at 5:00 pm.**

Questions or Comments regarding this determination can be directed to Zach Torrance-Smith, (509) 962-7079, [zach.torrancesmith@co.kittitas.wa.us](mailto:zach.torrancesmith@co.kittitas.wa.us).

**Responsible  
Official:**



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Jamey Ayling

**Title:** Kittitas County Community Development Services Planning Manager

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

**Date:** March 28, 2024

**Pursuant to Chapter 15A.07.010 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$1670.00 to the Kittitas County Community Development Services, 411 N Ruby St. Suite 2, Ellensburg WA 98926. Timely appeals must be received no later than 5:00pm, April 12, 2024. Aggrieved parties are encouraged to contact Community Development Services at (509) 962-7506 for more information on the appeal process.**

