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6 BEFORE THE BOARD OF COUNTY COMMISSIONERS
7 KITTITAS COUNTY, WASHINGTON

8 In re the Matter of:
9 Gibson Rezone

FILE NO. RZ-24-00001
(DOCKET NO. 2024-13)

10 APPELLANT ELLENSBURG CEMENT
11 PRODUCTS, INC.'S BRIEF (SEPA
APPEAL)

12 Appellant Ellensburg Cement Products, Inc. ("Ellensburg Cement"), by and through its
13 undersigned counsel, hereby submits this brief in support of its appeal of Kittitas County's issuance
14 of a State Environmental Policy Act ("SEPA") threshold mitigation determination of
15 nonsignificance ("MDNS"). Ellensburg Cement respectfully requests this Board reverse the
16 County's issuance of an MDNS and remand this matter to the SEPA Responsible Official and
17 Community Development Services (CDS) to perform a thorough, legally compliant and adequate
18 SEPA review associated with the rezone.¹

19 **I. INTRODUCTION**

20 Applicant Kristen and Kory Gibson's ("Applicant" or "Gibson") proposed rezone seeks to
21 do an end-run around County regulations by carving out a singular parcel within, and entirely
22 surrounded by, the broader existing Agriculture 20 (A-20) zone. The rationale behind this proposed
23 rezone is self-evident; significantly reducing, or eliminating entirely, future County-level review of
24

25 ¹ Ellensburg Cement submits this brief and accompanying documents under continued protest, and reserving and
26 without waiving its arguments that the County has failed to follow its own proscribed process in scheduling this SEPA
27 appeal, which failure has prejudiced and continues to prejudice to Appellants. *See* Letters from Cascadia Law Group
to the Board of County Commissioners dated November 26, 2024 (on file) and December 9, 2024 (on file),
incorporated herein by this reference. Ellensburg Cement renews its objection to this appeal hearing based on the
County's failure to follow the process proscribed by law and County Code, including KCC 15A.07.010.

1 Applicant's mining and excavation operations, and future expansion of the same, and proposed new
2 rock crushing operations. Those operations are currently only permitted in the A-20 zone pursuant
3 to an approved conditional use permit (CUP) or are disallowed entirely. Under the proposed rezone,
4 these activities would be permitted outright without any associated CUP or other County-level
5 review.

6 Exacerbating this proposed end-run round County review, through this novel process,
7 Gibson also seeks to avoid any meaningful SEPA level review of the resulting effects and impacts
8 of this proposed rezone through slight-of-hand. Rather than identifying, disclosing and evaluating
9 the new intensive uses that would now be permitted outright (or, as in the case of rock crushing
10 operations, for the first time) under the proposed rezone, the Applicant asks the County to essentially
11 ignore these issues and "look the other way," simplistically asserting the rezone is a mere
12 "nonproject action" and any future activities will be evaluated at the time a project is proposed. The
13 Board should recognize and not ignore this slight-of-hand. Moreover, established Washington law
14 prohibits such deferment of environmental review. First, SEPA requires consideration of the effects
15 of a proposed rezone at the time of rezone, and local jurisdictions cannot defer consideration to a
16 later date. This is the very purpose of SEPA review. Second, in asking the County to defer review,
17 the Applicant understands full well, that if approved, the new zone classification (Forest & Range)
18 would permit the use outright and there is no future associated land use review.² There will be no
19 CUP process under which conditions may be imposed.³ There will be no further County-action
20 required triggering a new SEPA review. Rather, Gibson can expand its current mining and
21 excavation activities and begin bringing rock crushing equipment on-site and commencing
22 operations without any further involvement from, or permitting by, the County. Absent future
23 appeals and judicial intervention, this Board's consideration of the adequacy of the SEPA review is
24 the last backstop prior to confirming a wholly inadequate SEPA review process.

25 ² See Rehberger Decl. at Exhibit B (KCC 17.15.060.1). While similar in many respects, one of the most significant
26 differences between the A-20 and Forest & Range (FR) zones is FR's allowance of mining and excavation uses
without requiring a CUP and allowing of rock crushing as a permitted use under FR, not allowed at all under A-20.

27 ³ Under the current A-20 zoning classification, Gibson's mining and excavation activities, and any proposed
expansion of the same, is only allowed pursuant to a CUP, and the County's associated CUP review process. See
KCC 17.60A (Conditional Uses); *see also* Rehberger Decl. at Exhibits 4 and 7.

The SEPA determination should be reversed and remanded as the County's SEPA review and threshold determination was not based upon information reasonably sufficient to evaluate the probable environmental impacts of the proposal and fails to demonstrate that the County adequately considered relevant environmental factors before issuing the MDNS. As such, the County's review fails to meet required prima facie compliance with SEPA.

II. BACKGROUND AND ARGUMENT

Ellensburg Cement directs this Board, in its appellate capacity to the following documents included in the record, each of which is incorporated herein by this reference as if fully set forth herein:

- Letter from Cascadia Law Group on behalf of Ellensburg Cement Products, Inc. to Kittitas County dated August 28, 2024 (SEPA Comments)
- Letter from Cascadia Law Group on behalf of Ellensburg Cement Products, Inc. to Kittitas County dated September 5, 2024 (Rezone Comments)
- Notice of Appeal on behalf of Ellensburg Cement Products, Inc. and Jon and Julie Blackmore dated October 29, 2024 (SEPA Appeal)
- Letter from Cascadia Law Group on behalf of Ellensburg Cement Products, Inc. to Kittitas County Planning Commission dated November 12, 2024 (Planning Commission Comments)

Ellensburg Cement's appeal is further supported by the Declaration of Joseph A. Rehberger, submitted herewith, together with the record already on file with the County and before this Board.

III. SUPPLEMENTAL ARGUMENT AND AUTHORITY

Ellensburg Cement submits the following supplemental argument and authority to assist in the Board's review.

A. SEPA Rules Regarding Threshold Determination

SEPA was enacted to promote the policy of fully informed decision-making by government bodies when undertaking actions. *Norway Hill Pres. & Prot. Ass'n v. King County Council*, 87

1 Wn.2d 267, 272 (1976). “Under SEPA, the definition of ‘action’ covers just about everything, and
2 within that category are project and nonproject actions,” including rezones. *King County v. Friends*
3 *of Sammamish Valley*, 556 P.3d 132, 143 (2024). A nonproject action must still comply with SEPA,
4 unless it falls under one of the categorical exemptions in RCW 43.21C.450, none of which apply
5 here. *See also* WAC 197-11-704(b)(2).

6 The purpose of the SEPA rules “is to ensure an agency fully discloses and carefully considers
7 a proposal's environmental impacts before adopting it and ‘at the earliest possible stage.’” *Spokane*
8 *County v. E. Wash. Growth Mgmt. Hearings Bd.*, 176 Wn. App. 555, 579 (quoting *King County v.*
9 *Wash. State Boundary Review Bd.*, 122 Wn.2d 648, 663-64 (1993)). In this regard, as Washington
10 courts have explained:

11 Thus, for a nonproject action, such as a comprehensive plan amendment or rezone,
12 the agency must address the probable impacts of any future project action the
13 proposal would allow. The purpose of these rules is to ensure an agency fully
14 discloses and carefully considers a proposal's environmental impacts before
adopting it and “at the earliest possible stage.” An agency may not postpone
environmental analysis to a later implementation stage if the proposal would affect
the environment without subsequent implementing action.

15 *Spokane County*, 176 Wn. App. at 579 (internal citations omitted).

16 SEPA requires an environmental review before proposed actions may proceed, WAC 197-
17 11-704, including “nonproject actions” and rezones. Under SEPA, the county is the “lead agency”
18 that must conduct the environmental review. WAC 197-11-930.⁴ The proponent of the action (or,
19 the “applicant”) completes an initial environmental review in the form of the environmental
20 checklist. WAC 197-11-315. The purpose of the checklist is “to ensure an agency, at the earliest
21 possible stage, fully discloses and carefully considers a proposal's environmental impact before
22 adopting it” and “[i]f the checklist does not contain sufficient information to make a threshold
23 determination, the preparer may be required to submit additional information.” *Conserv. Nw. v.*
24 *Okanogan County*, 2016 Wash. App. LEXIS 1410, *85 (Wash. Ct. App. Jun. 16, 2016). The lead
25 agency first reviews the checklist to determine completeness, identify possible impacts, and, as

26 _____
27 ⁴ Within the lead agency, a “responsible official” oversees the process and issues the threshold determination. WAC
197-11-330; WAC 197-11-788. For this proposed rezone, Kittitas County is the lead agency, and Jamey Ayling, the
Planning Manager, was the designated “Responsible Official.”

1 appropriate, may request additional information from the applicant to further evaluate the impacts.
2 WAC 197-11-335. The applicant must furnish additional information if requested to do so. WAC
3 197-11-100.

4 Ultimately, a threshold determination requires the responsible official to issue a judgment
5 based on a close review of the applicant's materials, analysis of qualitative and quantitative impacts,
6 and the consideration of a broad range of values. WAC 197-11-330. If the agency (in this case the
7 County) does not have sufficient information to evaluate a proposal, it must follow procedures under
8 WAC 197-11-080 and 197-11-335 to seek more information before issuing a threshold decision.⁵
9 Both WAC 197-11-080 and 197-11-335 permit the agency to require the applicant to provide more
10 information.⁶ To be sustained, SEPA cases instruct that "the [local jurisdiction] must demonstrate
11 that it actually considered relevant environmental factors before [issuing the threshold
12 determination]. Moreover, the record must demonstrate that the [local jurisdiction] adequately
13 considered the environmental factors in a manner sufficient to be a *prima facie* compliance with the
14 procedural dictates of SEPA." *Boehm v. City of Vancouver*, 111 Wn. App. 711, 718 (2002).

15 Washington courts have further explained that a DNS or MDNS must be "based upon
16 information reasonably sufficient to evaluate the environmental impact of a proposal." *Moss v. City*
17 *of Bellingham*, 109 Wn. App. 6, 14 (2001). Therefore, to receive an MDNS, an applicant must
18 furnish reasonably complete information about the impacts.

19 Specific to nonproject actions and rezones, a county "may not rely on its existing plans, laws,
20 and regulations when evaluating the adverse environmental impacts of a nonproject action," but
21 rather must actually consider "the environmental consequences . . . in terms of the maximum
22 potential development of the property under the various zoning classifications allowed." *Heritage*
23

24 ⁵ WAC 197-11-080 outlines the process for addressing "[i]ncomplete or unavailable information" and lead agencies
25 "may rely upon applicants to provide information." Similarly, WAC 197-11-335 outlines the process for soliciting
26 "[a]dditional information" where the lead agency concludes "there is insufficient information to make its threshold
27 determination," including "[r]equir[ing] an applicant to submit more information on subjects on the checklist."

⁶ As part of this review process, the SEPA rules instruct that a "threshold determination shall not balance whether the
beneficial aspects of a proposal outweigh its adverse impacts, but rather, shall consider whether a proposal has any
probable significant adverse environmental impacts under the rules stated in this section." WAC 197-11-330(5)
(emphasis added).

1 *Baptist Church v. Cent. Puget Sound Growth Mgmt. Hr'gs Bd.*, 2 Wn. App. 2d 737, 752 (2018)
2 (internal citations omitted). Washington courts have held environmental review deficient for
3 nonproject actions it failed to provide a reasonably evaluate the probable environmental impacts by
4 merely assuming that the local jurisdiction's regulations would limit the developable area of the
5 property. *Id.* at 757. As the Washington Supreme Court explained earlier this year, a "proposed
6 land use action is not exempted from environmental review just because there are no current, specific
7 development proposals or immediate land use changes that will result from the proposed action,"
8 *King County*, 556 P.3d at 146, and courts have rejected and reversed SEPA threshold determinations
9 based on Environmental Checklists where an applicant "answered nearly every question under part
10 B, 'Not applicable for this nonproject action.'" *Id.* at 144.

11 **B. SEPA Checklist and County Environmental Review Deficient and Non-compliant**
12 **with SEPA Rules**

13 With these basic SEPA rules in mind, the County's environmental review fails to meet even
14 prima facie compliance, cannot be sustained, and must be reversed. Even as a non-project action,
15 the SEPA review must disclose and evaluate the probable effects of the proposed rezone, including
16 the short and long-term effects that may be occasioned by the differing land use regulations. To the
17 point, Gibson requests a rezone of just one parcel to permit (where currently not allowed) rock
18 crushing operations and to allow for mining and excavation operations as a matter of right, and
19 without requiring a conditional use permit process for intensive mining and excavation operations.
20 The lack of disclosure and evaluation, include, without limitation:

- 21 • Neither the SEPA Checklist nor any studies that address potential impacts to groundwater,
22 existing nearby irrigation canals, hydraulic connectivity with surface water bodies,⁷ or
23 aquifer impacts.⁸

24
25
26 ⁷ While the SEPA Checklist notes that Parke Creek is within 200 feet of the property in the southwest corner, *see*
27 Checklist at § 3.a.1, it avoids any discussion of any impacts of the new uses authorized under the rezone, merely
describing the same as "non-applicable." *Id.* at § 3.a.2. The SEPA Checklist makes no reference to, or evaluation of,
additional Typed waterbodies to the west. *See* Rehberger Decl. at Exhibit D.

⁸ *See* Rehberger Decl. at Exhibits D and E.

- 1 • Neither the SEPA Checklist nor any studies address potential adverse impacts to wildlife and
2 livestock, including without limitation adverse impacts to the raising of livestock on
adjoining and nearby properties.⁹
- 3 • Neither the SEPA Checklist nor any studies address potential adverse impacts associated
4 with allowed use of heavy machinery, rock crushers, dump trucks, including associated noise
and traffic impacts.
- 5 • Neither the SEPA Checklist nor any studies address potential adverse impacts associated
6 with expanded and intensified mining and excavation activities or rock crushing, including
7 without limitation, noise impacts, light impacts, dust impacts, nor potential impacts on
8 existing adjacent land uses, including residential properties, livestock, grazing activities, and
agriculture.
- 9 • While the application materials note a lack of any water rights associated with the property,
10 the SEPA Checklist does not address or evaluate how water supply would be made available
to the property for dust control and operational issues, and the impact of the same.
- 11 • Even the County’s purported cursory review of surrounding properties is obviously deficient.
12 County staff notes that the surrounding property to the north consists of the “Quilomene
13 Wildlife Area.” Yet, the adjoining property to the north actually consists of over a dozen
platted lots intended for residential development.¹⁰ To the extent the Quilomene Wildlife
14 Area surrounds the property as the County notes, no evaluation of the impacts of expanded
operations were considered. Similarly, County staff notes that the surrounding property to
15 the east consists merely of “[v]acant sageland.” Yet, co-appellants Jon and Julie Blackmore
own property adjoining the subject property to the east as their personal residence, and
16 further use it for the raising and seasonal grazing of horses, cattle, and sheep, with a portion
of the of the property under irrigation as pastureland.¹¹

17
18 Reflecting the above lack of disclosure and evaluation, and expressly contrary to established
19 SEPA rules and law, the SEPA Environmental Checklist displays an egregious lack of even attempt
20 at disclosure.¹² These are;

- 21 • The SEPA Checklist’s response to the vast majority (over 50 in total) of the required
22 environmental considerations set forth in Part B (Environmental Elements) of the Checklist

23
24 ⁹ See Letter from Jon and Julie Blackmore to Kittitas County CDS dated Sept. 12, 2024.

25 ¹⁰ See Rehberger Decl. at Exhibit D; see also Letter from D&N Development, LLC to Kittitas County CDS dated Sept.
26 13, 2024 (on file) (noting the existence of 14 lots intended for future home sites, and raising concerns regarding
unsightly views, airborne dust, and noise from expanded mining operations and rock crushers).

27 ¹¹ See, e.g., Letter from Jon and Julie Blackmore to Kittitas County CDS dated Sept. 12, 2024 (on file) (noting that
“rock crushing is not a reasonable development of the subject property,” and would be detrimental to surrounding
properties if not properly mitigated).

¹² See Rehberger Decl. at Exhibit H. A further copy of the SEPA Checklist, as highlighted, is attached as Appendix A
for this Board’s convenience.

1 as “Not applicable.” This includes, without limitation, answers to all or part of the required
2 Part B items addressing the following:

- 3 ○ Part B.2 (Air)
- 4 ○ Part B.3.a (Surface Water)
- 5 ○ Part B.3.b (Groundwater)
- 6 ○ Part B.3.c (Water runoff (including stormwater))
- 7 ○ Part B.6 (Energy and Natural Resources)
- 8 ○ Part B.7 (Environmental Health)
- 9 ○ Part B.7.b (Noise)
- 10 ○ Part B.10 (Aesthetics)
- 11 ○ Part B.11 (Light and Glare)
- 12 ○ Part B.14 (Transportation)
- 13 ○ Part B.15 (Public Services)

- 14 • The SEPA Checklist’s response to all, or nearly all, of the required responses requiring
15 consideration of “Proposed measures to reduce or control impacts” is a non-responsive
16 statement of “**Not applicable. This is a non-project action. Any future permits would be
17 reviewed for impacts and/or mitigation measures under the applicable regulations in
18 effect at the time of permit action.**”¹³
- 19 • The SEPA Checklist’s response to each of the first six items in Part D of the SEPA Checklist
20 that requires consideration of proposed measures to avoid or reduce impacts or preserve
21 existing resources is a repeat of the non-responsive statement “**Any future permits would
22 be reviewed for impacts and/or mitigation measures under the applicable regulations
23 in effect at the time of permit action.**”¹⁴

24 As set forth above, Washington courts have rejected, as patently non-compliant, SEPA Checklists
25 in which an applicant “answered nearly every question under part B, ‘Not applicable,’” even in the
26 case of “nonproject” rezone actions.” *King County*, 556 P.3d at 144, 146. Nor is deferral of SEPA
27 review allowed. Rather, for nonproject actions, such as the rezone contemplated here, the local
agency “must address the probable impacts of any future project action the proposal would allow.”
Spokane County, 176 Wn. App. at 579 (emphasis added). Further, a local agency “may not postpone
environmental analysis to a later implementation stage if the proposal would affect the environment
without subsequent implementing action. *Id.* (emphasis added). At this stage, the MDNS is clearly
erroneous, impermissibly defers environmental review, and evinces a lack of adequate
consideration.

¹³ See Appendix A.

¹⁴ See Appendix A.

1 **CONCLUSION**

2 Based on the above alleged SEPA deficiencies, Ellensburg Cement requests this Board
3 remand this matter to CDS and the Responsible Official to conduct a SEPA-compliant review of the
4 proposed rezone. Absent the same, the MDNS should be reversed, a Determination of Significance
5 (DS) issued, and a full environmental impact statement (EIS) be prepared to evaluate the probable
6 impacts of the rezone.

7
8 DATED this 16th day of December, 2024.

9
10 CASCADIA LAW GROUP PLLC

11 

12 _____
Joseph A. Rehberger, WSBA No. 35556

13 *Attorneys for Appellant Ellensburg Cement Products,*
14 *Inc*

APPENDIX A



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

APPLICATION FEES:

\$600.00 Kittitas County Community Development Services (KCCDS)**

\$950.00* Kittitas County Department of Public Works**

\$260.00 Kittitas County Public Health

\$1,810.00 Total fees due for this application (One check made payable to KCCDS)

*2 hours of review included in Public Works Fee. Additional review hours will be billed at \$243 per hour.

** Note:KCCDS and PW fees are waived if project is a VSP sponsored fish enhancement project.

FOR STAFF USE ONLY

Application Received by (CDS Staff Signature): 	DATE: <u>6/28/24</u>	RECEIPT# <u>0024-01627</u>	<div>RECEIVED JUN 28 2024 Kittitas County CDS DATE STAMP IN BOX</div>
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A. Background

1. Name of proposed project, if applicable:

Gibson Rezone from AG20 to Forest & Range

2. Name of applicant:

Kristin and Kory Gibson, mother and son

3. Address, e-mail and phone number of applicant and contact person:

Kristin Gibson
c/o Kory Gibson
1221 South Thorp Highway
Ellensburg, WA 98926

KoryGibson@hotmail.com

509-201-1023

4. Date checklist prepared:

June 15, 2024

5. Agency requesting checklist:

Kittitas County Community Development Services Department

6. Proposed timing or schedule (including phasing, if applicable):

Docket applications are due by June 28, 2024.

The docket will be reviewed by staff beginning in July 2024, with adoption by the end of year.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Unknown. The rezone is to align the property's existing natural characteristics and potential with the allowed uses in the zone. Since there is no irrigation or agricultural soil on site, Agriculture-20 (AG-20) zoning does not fit the existing conditions of the land. Forest and Range is the other potential zoning within the Rural Working designation in the Kittitas County Comprehensive Plan that applies to this area, and is a better fit for the natural conditions on the subject site.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Publicly available information from federal, state, and regional governmental and nongovernmental organizations was used to complete this checklist. Resources include USDA soils information; state fish and wildlife information; noxious weed board information; and Kittitas County COMPAS information including Lidar, existing features mapping, and the aerial photograph of the subject site.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known. This AG-20 to Forest & Range Rezone application is the only known pending government approval relating to the subject site.

10. List any government approvals or permits that will be needed for your proposal, if known.

The applicant currently seeks only a AG-20 to Forest & Range rezone from Kittitas County for the subject site assigned parcel number 280533.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The subject site is a 42-acre parcel with slopes, sparse scrub type vegetation, and rocky soils. Elevations range from 2000 feet above sea level, to 1940 feet above sea level. No water service currently exists on site, no wells exist, and no water rights are available for agricultural irrigation or animal husbandry. Since agricultural uses would not be supported under the natural conditions, and the necessary rights are not available to change the potential of the subject site, a Forest & Range zoning would better suit the property than the current Agricultural-20 (AG-20) zoning.

For example, the properties to the immediate southwest, and south across Parke Creek Rd, are in a river valley and adjacent to an existing river and irrigation system, providing a ready source for irrigation. In this area, the natural characteristics support agricultural uses. The hill to the north, on which the subject site is located, and the hill to the south on the other side of the river, share the same arid landscape without natural water sources.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The subject property is approximately 3 miles east of town of Kittitas and is accessed via Parke Creek Road.

Map number: 17-20-08010-0006

Parcel number: 280533

Section/Township/Range: S8 T17N R20E

Address: unaddressed, north of 4481, 5125, 5121, and 5123 Parke Creek Road

Driving directions: From the city of Kittitas, head east on Parke Creek Road for 3 miles. Turn left at 5125 Parke Creek Rd, and continue northwest for 1,000 feet.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, **steep slopes**, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

COMPAS notes the site as having slopes over 30% slope.

- See COMPAS property report, Exhibit A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The USDA web-based GIS mapping software lists the following soils for the subject property:

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
422	Clerf very cobbly loam, 30 to 45 percent slopes	24.6	57.9%
512	Vantage-Clerf complex, 3 to 15 percent slopes	6.8	16.0%
523	Terlan gravelly loam, 0 to 2 percent slopes	2.3	5.4%
532	Selah-Terlan complex, 10 to 15 percent slopes	2.4	5.6%
903	Marlic-Zen-Laric complex, 3 to 15 percent slopes	6.4	15.1%
Totals for Area of Interest		42.5	100.0%

- See USDA soil map and table, Exhibit B

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There is no known history of soil instability in the immediate vicinity.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. This non-project action proposes only a zoning change.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable. This non-project action does not propose any filling, excavation, or grading. Based on the soil types, it is unlikely that any future erosion would occur with implementation of best management practices, as required by Kittitas County Code.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. This non-project action does not propose any sitework.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable. This non-project action does not propose any sitework.

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

~~Reecer~~ **PARKER** Creek is 170 feet at its nearest point from the southwest corner of the subject property.

- See COMPAS aerial photograph, Exhibit C

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No, this site is not within a 100-year floodplain. FEMA lists this area as "minimal flood hazard" on FEMA's National Flood Hazard Layer (NFHL) Viewer, and cites study 53037C_STUDY1. Firmette 53037C1330D shows this area. The absence of symbology on the map shows the subject site is outside flood-rated areas.
- See Firmette 53037C1330D, Exhibit D

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the

number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. This is a non-project action. Soils in this area are well-draining, allowing surface water to satisfactorily infiltrate. Additional stormwater intervention is not needed. Generally, stormwater makes its way to the river valley.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. This is a non-project action. This non-project action does not propose any sitework.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

4) Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

4. Plants

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other

☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework.

c. List threatened and endangered species known to be on or near the site.

As reported on the Washington Department of Fish & Wildlife "Priority Habitats and Species: Maps" GIS interactive web-based software, there are no known threatened or endangered species on or near the subject site.

- See WDFW Priority Habitats and Species report, Exhibit E

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

e. List all noxious weeds and invasive species known to be on or near the site.

As mapped on the Washington State Noxious Weed Control Board's "Noxious Weed Data Viewer", no noxious weeds or invasive species are mapped on the subject site.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: **deer**, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

As reported on the Washington Department of Fish & Wildlife "Priority Habitats and Species: Maps" GIS interactive web-based software, there are no known threatened or endangered species on or near the subject site.

c. Is the site part of a migration route? If so, explain.

None known. Generally, Washington State is within the Pacific Flyway, a migratory bird pattern along the west coast of the United States.

d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable. This non-project action proposes only a zoning change. This non-project action does not propose any sitework. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

e. List any invasive animal species known to be on or near the site.

None known. The Washington Invasive Species Council does not list invasive animal species in Central Washington.

- See Washington Invasive Species Council plant map, Exhibit F

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. This is a non-project action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable. This is a non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

None known.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This is a non-project action.

4) Describe special emergency services that might be required.

Not applicable. This is a non-project action.

5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable. This is a non-project action to rezone the subject site. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Existing noise includes those typically associated with large property, low density, rural lifestyles including property maintenance equipment, recreation vehicles, and regional traffic noise.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

3) Proposed measures to reduce or control noise impacts, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently vacant and is not suited to agricultural uses due its natural condition. Adjacent properties include residential and farming activities lower down in the river valley, to the west and south, and include vacant and residential activities to the east and north.

The proposal does not affect current land uses on nearby or adjacent properties.

The proposed zoning is consistent with the Rural Working land use designation and activities, which prioritizes management of farming, ranching, and rural lifestyles in the AG-20 zone, and prioritizes resource management in the Forest and Range zone.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The subject site has not been used as working farmland or as working forest lands.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

c. Describe any structures on the site.

A temporary storage container is located on site and is the only structure.

d. Will any structures be demolished? If so, what?

Not applicable. This is a non-project action.

e. What is the current zoning classification of the site?

The subject site is currently zoned AG-20.

f. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation is Rural Working.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. No shorelines of the state are located on or near the subject site.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Pursuant to Kittitas County Code 17A.01.010, regulated critical areas present within Kittitas County include: Critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands.

None of these occur on the subject site.

- i. Approximately how many people would reside or work in the completed project?

Not applicable. This is a non-project action.

- j. Approximately how many people would the completed project displace?

Not applicable. This is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable. This is a non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable. This is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable. This is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. This is a non-project action.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. This is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable. This is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable. This is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

According to Google maps, there are several state parks within driving distance of the subject site, including the Ginkgo Interpretive Trails to the north off Vantage Highway, the Green Gate WDFW Public Lands Access to the east, the John Wayne Trail to the southeast, and the Olmstead Place Historical State Park to west of the city of Kittitas.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable. This is a non-project action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

According to the National Register of Historic Places, the closest registered sites are the Kittitas Depot in downtown Kittitas, approximately 3 miles west of the subject site, and the Olmstead Place Historical State Park, roughly 6 miles west of the subject site.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known at or immediately adjacent to the subject site. The Department of Archeology and Historical Preservation's WISAARD mapping tool does not show the subject site mapped as a historical area. The closest areas are a historic bridge 3 miles southeast and a historic canal 2 miles west.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

For this non-project action, the Department of Archeology and Historical Preservation's WISAARD mapping tool was consulted along with the National Register of Historic Places web-based mapping tool, hosted by the U.S. Department of the Interior's National Park Service.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

The subject site is currently accessed from Parke Creek Road. This regional road that connects into the city of Kittitas, which has an exit off Interstate 90.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

None known. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No such transportation known in the area. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

f. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No known impact. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

g. Proposed measures to reduce or control transportation impacts, if any:

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

None currently available.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable. This is a non-project action. Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Kristin Gibson
Name of signee: Kristin Gibson
Position and Agency/Organization: Owner
Date Submitted: 6/28/24

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Changing the zoning from AG-20 to Forest & Range would not increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. Both zoning types are within the Rural Working land use designation, and have similar land experiences that include large property, a low density, rural lifestyle.

Proposed measures to avoid or reduce such increases are:

Any future permit actions would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The AG-20 zoning and Forest & Range zoning are both within the Rural Working land use designation. Changing the zoning from AG-20 to Forest & Range would not affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

3. How would the proposal be likely to deplete energy or natural resources?

Changing the zoning from AG-20 to Forest & Range would not deplete energy or natural resources. Both zoning types are within the Rural Working land use designation.

Proposed measures to protect or conserve energy and natural resources are:

Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

4. How would the proposal be likely to use or affect environmentally sensitive areas or

areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

There are no known environmentally sensitive areas on the subject site. Changing the zoning of the site from AG-20 to Forest & Range will not impact environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Both AG-20 zoning, the current subject site zoning, and the Forest & Range zoning, the proposed zoning, are allowed within the current Rural Working land use designation in the Kittitas County Comprehensive Plan. There are no current shorelines or shoreline uses on the subject property. Changing the zoning from AG20 to Forest & Range would not affect land and shoreline use, nor would it be inconsistent with the existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Changing the zoning from AG-20 to Forest & Range would not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Any future permits would be reviewed for impacts and/or mitigation measures under the applicable regulations in effect at the time of the permit action.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

It is unlikely the proposal would conflict with local, state, or federal laws or requirements for the protection of the environment since the comprehensive plan land use designation would not change and has already been approved under the applicable local, state, or federal laws and requirements. The only change is to switch the zoning type from AG-20 to Forest & Range to reflect the site-specific characteristics that do not support agricultural uses but do support Forest & Range uses.



Property Report for Parcel#: 280533 Exhibit A

Wednesday, June 5, 2024

Parcel Information

Address: PARKE CREEK RD ELLENSBURG
Tax Parcel ID: 280533
Map Number: 17-20-08010-0006
Recorded Area: 42.41 a
Owner Name: GIBSON, KRISTIN A
Name Cont:
Mailing Address: 1221 THORP HWY S
City/State/Zip: ELLENSBURG WA 98926-8010

Critical Areas Information

Contains > 30% Slope: Yes
PHS Site Name: N/A
Roof Hazard: LOW_HAZARD RATING
Roof Class: CLASS C
Seismic Category: C
Shore Line: N/A
Wetland Code: N/A
DNR Water Type: N/A
FIRM Zone:
FEMA Flood Map: 53037C1330D
Coalmine Shaft: N/A
Airport Zone: N/A
BPA Right of Way: -1
Max Elevation: 2100
ISO: 0.019
PG: 40

Domestic Water Information

Over the Counter Water: Yes, [Suitability Map](#)
Qualifying Water Banks: Big Creek WR, Bourne, New Suncadia (Tillman Creek), KittitasCnty (Amerivest), KittitasCnty(Clennon), Reecer Creek, KittitasCnty(Roth), KittitasCnty(Williams), New Suncadia (Big Creek), New Suncadia (SwaukFirstCreeks), New Suncadia (TeawayRiver), Roan New Suncadia, SC Aggregate, Swiftwater Ranch, Trailside, Western Water Partners, Yakima Mitigation Services, NGR
Sub Basin Watershed: Wilson-Cherry Creeks



Administrative Information

Zone and Allowed Uses: [Agriculture 20](#)
Land Use Category: Rural Working
Commissioner District: 0
Voter Precinct:
Hospital District: HOSPITAL DISTRICT 1
School District: Kittitas School District
Irrigation District: KRD
Weed District:
Fire District: Kittitas Valley Fire and Rescue (Fire District 2)
Cemetery District: N/A
Court District: Lower District Court
PUD Comm District: District 3
Parks and Rec District:
Wildland Urban Interface: [IR 1](#)
Stock Restricted Area: Stock Restricted
COE Gas Service Area: No

Custom Soil Resource Report
Soil Map



Custom Soil Resource
Report for
Kittitas County
Area, Washington



Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
422	Clerf very cobbly loam, 30 to 45 percent slopes	24.6	57.9%
512	Vantage-Clerf complex, 3 to 15 percent slopes	6.8	16.0%
523	Terlan gravelly loam, 0 to 2 percent slopes	2.3	5.4%
532	Selah-Terlan complex, 10 to 15 percent slopes	2.4	5.6%
903	Marlic-Zen-Laric complex, 3 to 15 percent slopes	6.4	15.1%
Totals for Area of Interest		42.5	100.0%



Date: 6/10/2024

1 inch equals 3,029 feet

0 0.2 0.4 0.8 mi

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.



Earthstar Geographics

National Flood Hazard Layer FIRMette



120°20'W 46°58'26"N



0 250 500 1,000 1,500 2,000 Feet























1:6,000

120°19'23"W 46°58'1"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|---|---|
| SPECIAL FLOOD HAZARD AREAS |  | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| |  | With BFE or Depth Zone AE, AO, AH, VE, AR |
| |  | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD |  | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| |  | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| |  | Area with Reduced Flood Risk due to Levee. See Notes, Zone X |
| |  | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS |  | NO SCREEN Area of Minimal Flood Hazard Zone X |
| |  | Effective LOMRs |
| |  | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES |  | Channel, Culvert, or Storm Sewer |
| |  | Levee, Diike, or Floodwall |
| OTHER FEATURES |  | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| |  | 17.5 Coastal Transect |
| |  | Base Flood Elevation Line (BFE) |
| |  | Limit of Study |
| |  | Jurisdiction Boundary |
| |  | Coastal Transect Baseline |
| |  | Profile Baseline |
| MAP PANELS |  | Digital Data Available |
| |  | No Digital Data Available |
| |  | Unmapped |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

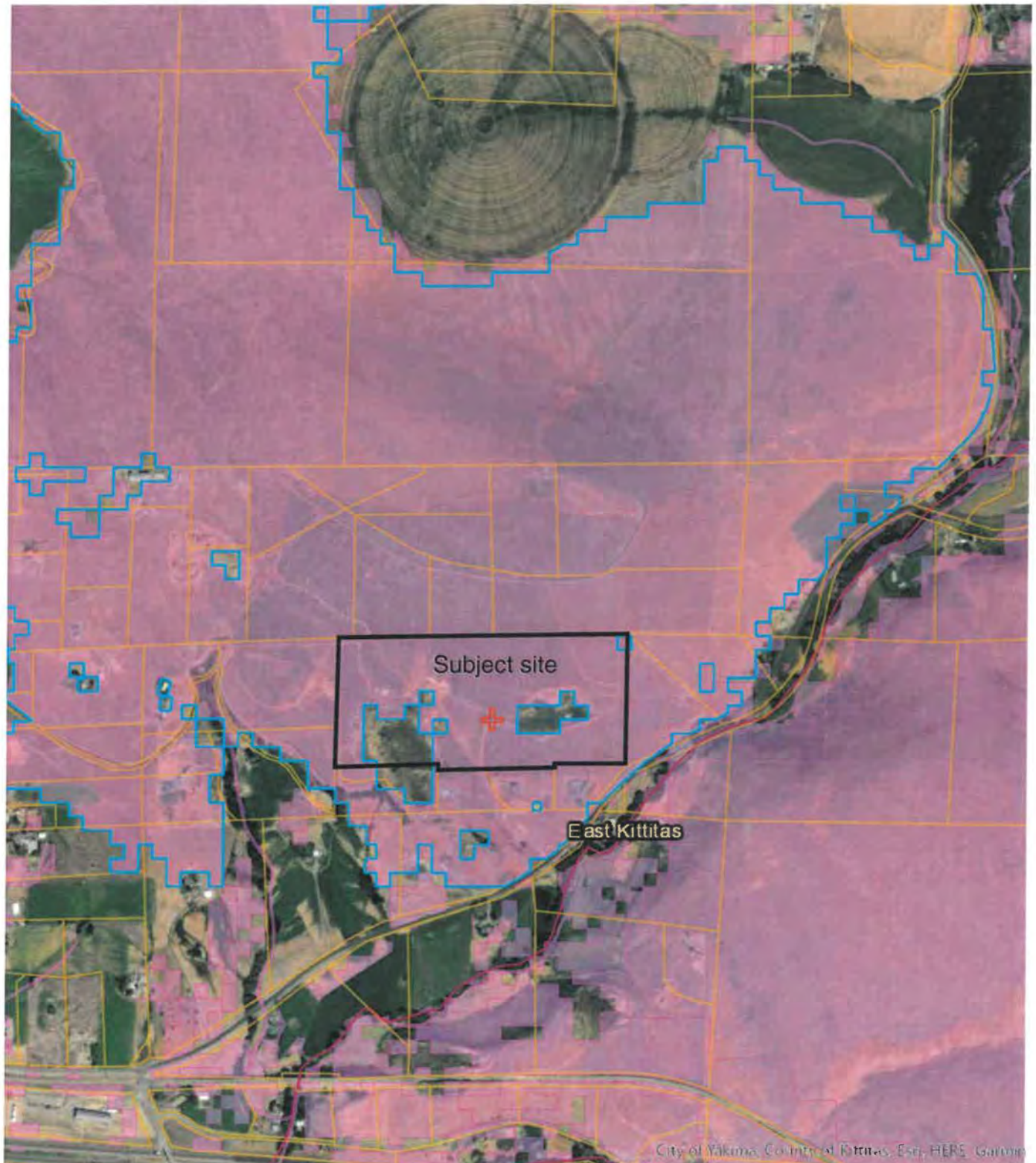
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/5/2024 at 10:14 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Exhibit D



Priority Habitats and Species on the Web



Report Date: 06/06/2024

PHS Species/Habitats Overview:

Occurrence Name	Federal Status	State Status	Sensitive
Shrubsteppe	N/A	N/A	No

PHS Species/Habitats Details:

Shrubsteppe	
Priority Area	Habitat Feature
Site Name	Kittitas County Shrubsteppe
Accuracy	NA
Notes	General location of Shrubsteppe. Confirm or refute info. WDFW recommends using site-scale info to inform land use decisions. Expect that on-the-ground coordinates (boundaries) will vary from the map.
Source Record	920871
Source Name	Keith Folkerts, WDFW
Source Entity	WA Dept. of Fish and Wildlife
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS LISTED OCCURRENCE
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
Geometry Type	Polygons

DISCLAIMER. This report includes information that the Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not intended to be used with an official agency response as to the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and it is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which no surveys have not been conducted. Site specific surveys are frequently necessary to rule out the presence of priority resources. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using reports more than six months old.



WASHINGTON STATE Noxious Weed Control Board



Washington State Noxious Weed Data Viewer

(BETA)



Legend:

Subject site

Noxious weed sites as labeled