

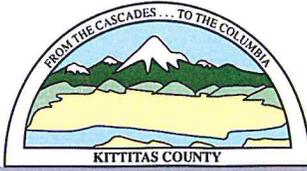
Jeff Watson

From: Lenny Morrison <lmorrison@ellensburgcement.com>
Sent: Wednesday, May 15, 2013 3:45 PM
To: Jeff Watson
Subject: CUP 11-04
Attachments: lmorrison.vcf

Mr. Jeff Watson.

Ellensburg Cement Products would like to withdraw it's CUP and SEPA application at this time, for the Horse Canyon site labeled CU-11-04. If you have any questions please call or email.

Thank You
Lenny Morrison
~~
Lenny Morrison



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

January 23, 2013

Lenny Morrison
2121 Highway 97
P.O. Box 938
Ellensburg WA 98926

Dear Mr. Morrison,

Please be advised that Kittitas County Community Development Services has granted your request for and application extension of the Horse Canyon Conditional Use Permit (CU-11-00004) dated December 12, 2012. The new deadline for the provision of the information requested by Kittitas County Public Works is June 12, 2013.

Feel free to contact me should you have any additional questions.

Jeffrey A. Watson
Staff Planner

Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926
jeff.watson@co.kittitas.wa.us
P: 509.933.8274
F: 509.962.7682

Community Planning • Building Inspection • Plan Review • Administration • Permit Services • Code Enforcement • Fire Investigation

JANUARY 23, 2013

Jeff Watson KCCDS	Phone: 509-933-8274
411 N. Ruby Street, Suite 2	Fax: 509-962-7682
Ellensburg, WA 98926	E-Mail jeff.watson@co.kittitas.wa.us

Page 1 of 1

2121 Hwy. 97 / P.O. Box 938
Ellensburg, WA 98926
Telephone (509) 933-7050
Fax (509) 933-7068

.....

Ellensburg Cement Products

December 14, 2012

Mr. Jeff Watson
KCCDS
411 N. Ruby Street
Ellensburg WA, 98926

RECEIVED
DEC 17 2012
KITITAS COUNTY
CDS

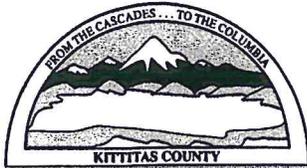
Mr. Jeff Watson

On June 28 2012 Ellensburg Cement Products (ECP) requested an extension to the Horse Canyon Conditional Use Permit. An extension of 180 days was granted at that time so ECP could submit additional information. While gathering additional information The County was going through its Comp plan and making changes that may have an affect on this CUP and others in the future. ECP would like to request an extension at this time to monitor the on going Comp. Plan hearings. ECP feels that an extension would be to everyone's benefit.

Thank You

Lenny Morrison

.....



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships - Building Communities"

June 28, 2012

Lenny Morrison
PO Box 939
Ellensburg, WA 98926

Subject: Time Extension Horse Canyon CUP (CU-11-04)

Dear Mr. Morrison,

We have received your request for an additional extension for submitting additional information to your Horse Canyon Conditional Use Permit application on June 28, 2012. Community Development Services is granting your request for a 180 day extension for the Horse Canyon CUP (CU-11-04). The new deadline for providing the requested information will be December 26, 2012.

If you have any questions, please feel free to contact me.

Sincerely,

Dan Valoff
Staff Planner

Dan Valoff

From: Lenny Morrison [lmorrison@ellensburgcement.com]
Sent: Wednesday, June 27, 2012 10:24 AM
To: Dan Valoff; Doc Hansen
Subject: Extension
Attachments: lmorrison.vcf

Mr. Dan Valoff,

I am requesting a 180 day extension to CUP 11-0004. This request comes after the meeting of 6/26/2012.

Thank you

--

Lenny Morrison

Dan Valoff

From: Steph Mifflin
Sent: Wednesday, June 13, 2012 2:02 PM
To: Dan Valoff
Subject: FW: Bettas Road

FYI

Stephanie Mifflin

Permit Technician

Kittitas County Community Development Services

411 N Ruby Street Suite 2

Ellensburg, WA 98926

steph.mifflin@co.kittitas.wa.us

P: 509.962.7506

F: 509.962.7682

From: sallyjwagner@comcast.net [sallyjwagner@comcast.net]
Sent: Wednesday, June 13, 2012 1:41 PM
To: Steph Mifflin
Subject: Bettas Road

To whom it may concern, I am a property owner just off Bettas Road and was shocked to recently learn that a potential gravel pit is applying for a use permit. I feel it would greatly diminish my property values and quality of life in this beautiful area of the upper Kittitas. The wind farm construction has been hard on our roads. The wind farm itself has changed the terrain and nature of our local. A gravel pit would add additional noise and make it less appealing for riding horses and being in rural country. Water issues have also been difficult for us in our area and it concerns me that a gravel pit would pollute and use an extensive amount of this valuable resource that has been restricted for the general public in our area.

I would be very interested in knowing about any hearings regarding this drastic change to the Bettas Road area.

Thank you, Sally Wagner

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38cb4b916c6dcbdac24bb8719d004a14

Slim Jorgensen
2111 Raptor Ridge Road
Cle Elum, Washington
slim_kittitas@yahoo.com
12 March 2012

Kittitas County Community Development Services
411 Ruby Street, Suite 2
Ellensburg, Washington
CDS@CO.KITTITAS.WA.US

Re: Horse Canyon Conditional Use Permit (CU-11-00004)

This letter is regarding the application for Ellensburg Cement Products (ECP) to establish a rather large gravel and rock crushing quarry covering up to sixty-five acres along Bettas Road and immediately adjacent to (what we locally refer to as Horse Canyon Creek) a small seasonal creek which flows directly into Swauk Creek. My understanding is that Swauk Creek has played a prominent role in Steelhead protection and enhancement in the upper Yakima River Basin, and thus I am somewhat concerned over what impact this rock crushing quarry would have. While I am not immediately adjacent to the proposed operation and may not be directly impacted like some of my neighbors directly adjacent to the operation on Bettas Road, I am genuinely concerned about the impact on the surrounding environment, particularly fisheries, but also the deer, elk, and other fauna within the surrounding properties and environment.

Of a more personal concern is the fact that several of the landowners in the area, including myself, have wells that were not fully cased when they were established. In my particular situation, my well is cased for the upper 200 feet, out of a total of 520 feet. So, of course, I am concerned about any possible blasting, if that is required for this operation.

A summary of some of my specific concerns/questions are:

1. I have been told that when the rock is crushed it must be sorted and "washed". Where does this water come from? Where does the used water go?
2. Is the required water, if any, drawn from wells and would they then be governed by any moratorium that might be in place on well drilling, such as that which has so recently impacted the local residents? Would this water, if drawn from wells impact the total water supply available for the local existing residents?
3. ECP says that storm water (I assume flowing from off-site) will be diverted from their site. Does this mean directed into the Swauk Creek watershed? Regarding storm water and "used" water directly produced on-site, would this be retained and disposed of elsewhere? Or, treated and released into the Swauk Creek watershed?
4. ECP says that they will control "dust" by use of a water truck. Does this mean that all the dust/dirt/sediment will be washed off of Bettas Road and directly into the Swauk Creek watershed?

5. ECP mentions that there is a small spring fed pond that the adjacent owner has "rights" to. Some of these small ponds were left over from the cattle ranching days, indeed I have one on my property. Would ECP use this water, thus preventing this natural runoff from entering Swauk Creek and the Yakima watershed? It is my understanding that under current treaty obligations, that while current ponding is "grandfathered" no additional ponding or increase to existing ponding is permitted. In effect, that all natural surface water should be permitted to flow to the Yakima River unimpeded. If I am understanding correctly, then would this project also have to comply?
 6. Finally, with respect to my well, and other neighboring wells, is there any sort of liability assumed by ECP in the operation of this project, regarding possible damage to these neighboring wells, if such damage were to occur? What assurances do we have that any required blasting would not be detrimental to our existing wells?
-

Thank you, I do appreciate the opportunity to submit this letter, and certainly appreciate any help, directions, or clarifications that might address any, or all, of my concerns.

Thank you and Sincerely,



Slim Jorgensen
slim_kittitas@yahoo.com
509-857-2405

Dan Valoff

From: Christina Wollman
Sent: Tuesday, February 21, 2012 7:47 AM
To: Jan Ollivier; Doug D'Hondt; Dan Valoff; Kelly Bacon; Kirk Holmes; Doc Hansen
Subject: FW: Comment to MEMO
Attachments: lmorrison.vcf

Christina Wollman, AICP CFM
Planner II | Floodplain Manager
Kittitas County Department of Public Works [p] 509.962.7051 | [f] 509.962.7663

-----Original Message-----

From: Lenny Morrison [mailto:lmorrison@ellensburgcement.com]
Sent: Monday, February 20, 2012 11:04 AM
To: Christina Wollman; Jeff Hutchinson
Subject: Comment to MEMO

Christina Wollman,

I received your Memo Monday on Feb 20. 2012. When I read your Memo it sounds as though you are holding ECP to a different standard than any other application. You are comparing the construction of a Wind farm to a site that will have intermittent traffic at best. The wind farm had countless trucks with repeated trips and heavy equipment through all types of weather conditions. You require a "TIA" to consider the safety due to narrowness of the roadway. Is this road any narrower than Parke Cr. road?

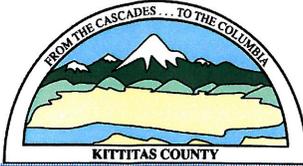
A CUP was given last year on Parke Cr. road with out any comment from public works, other than addressing his road access. The CUP on Parke creek road was required by the BOA in its findings Item 16 # 4 states the applicant shall update it's two access's, which as to date has yet to meet with the requirements of that CUP. You require ECP to apply for an access permit for the proposed new access, ECP will apply for permit for access after approval of CUP.

--

Lenny Morrison

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

February 16, 2012

Lenny Morrison
Ellensburg Cement Products
PO Box 938
Ellensburg, WA 98926

Subject: Horse Canyon Conditional Use Permit (CU-11-04)

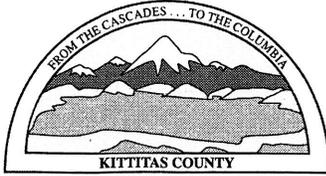
Dear Mr. Morrison,

The comment period on the Notice of Application for the Horse Canyon Conditional Use Permit (CU-11-04) ended on February 6, 2012. Kittitas County Public Works is requesting additional information prior to issuing their comments. Please refer to the Department of Public Work's memo for the specific information being requested. In addition, the environmental checklist needs to be supplemented in accordance with WAC 197-11-100 & 197-11-335, to include a Geotechnical Report to address the impacts to ground water and geologic structures, and a noise study conducted by a qualified professional to address sound impacts of the mining operation to surrounding properties and proposed mitigation of any impacts determined needed, such as buffering, setbacks from adjacent properties, etc.

When the additional information is received our review of the application will continue. Kittitas County Code Chapter 15A.03.040 states that an application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form. If you have any questions or further clarification, please contact my office at (509) 962-7506.

Sincerely,

Robert "Doc" Hansen
SEPA Responsible Official



KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Dan Valoff, CDS
FROM: Christina Wollman, Planner II *CW*
DATE: February 16, 2012
SUBJECT: Horse Canyon Conditional Use Permit CU-11-00004

ECP is requesting approval of a sand and gravel mine on Bettas Road. In 2010, Bettas Road was the construction access for the Kittitas Valley Wind Farm. Due to the construction truck traffic, soft soils and poor subgrade of the road, it was completely destroyed and had to be reconstructed. The reconstruction made only minor improvements to the structure of the roadway and did not include improvements needed to support heavy truck loads for future projects such as this.

Based on this history, Public Works will require the applicant to perform a structural study of the entire length of Bettas Road. The study must be completed during the spring thaw and by a licensed engineer. The analysis should include saturated native conditions.

Public Works will also require the applicant to perform a traffic impact analysis based on the estimated truck traffic. The TIA shall also take into consideration safety due to the narrowness of the roadway. The study must be completed by a civil engineer licensed in Washington state.

The applicant shall also apply for an access permit for the proposed new access. If the access location is approved, the access permit will be conditioned on the approval of the conditional use permit.

Prior to beginning the structural study or TIA, the applicant or applicant's engineer shall contact Public Works to discuss the exact scope of the studies. The studies shall be completed prior to issuance of the SEPA determination and Board of Adjustment hearing.

February 13, 2012

Dan Valoff
Kittitas County Community Development
411 N. Ruby Street - Suite 2
Ellensburg, WA 98926



Project: Horse Canyon Conditional Use Permit (CU-11 -00004)

The site requesting a conditional use permit (CUP) for a gravel pit on Bettas Road is inappropriate for this area. The negative impact all along Bettas Road with its blasting, dust, noise, and constant commercial traffic is not suitable for this residential area.

RCW 36.70A.060 (b) states:

“Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.”

Horse Canyon Estates of which I am a part has a contiguous border with the land proposed for the gravel pit. No such notice was indicated on any plot maps for HCE when we built on our property in 2005.

Apparently many things are allowed under conditional use; however, it seems logical that they comply with and fit in with the surrounding area to be considered for approval. A gravel pit certainly does not fit in with this residential area. As well, the area is prime habitat for mule deer and elk that frequent this area. There is a stream in the area of the proposed site. A gravel pit with its runoff and potential contamination of ground water would adversely affect the area.

From research supplied by others, it seems that Ellensburg Cement’s SEPA checklist contains several omissions and inaccuracies. ECP makes no mention of rock crushing on the Bettas Road site in their SEPA Environmental Checklist but they do state “Loading Processed Products” will occur. How can that be: where are the “processed products going to be processed (crushed)?

Further, there seems to be SEPA Checklist Omissions and Discrepancies in the following sections:

Environmental Elements Section 2 Air c. There is nothing in the SEPA checklist of any substance addressing dust control from the quarry. ECP states “Dust control by water truck for activities on site when needed and when site is active.” There is nothing addressing air quality impacts from dust or emissions that will become trapped in the valley. When the site is inactive how will the dust be controlled?

Environmental Elements Section 3 Water a 1. The SEPA checklist addresses seasonal streams. ECP mentions a spring fed pond that the adjacent owner has rights to. There is a seasonal stream within 100’ of the site. The ditch that follows Bettas Road runs along the western boundary of the proposed site and feeds into the stream through two culverts. ECP made no mention of this stream on the SEPA checklist, a stream that flows into Swauk creek and eventually into the Yakima River. None of the maps ECP submitted track the streams flow.

Environmental Elements Section 3 Water c and d. ECP says “Type 1 Storm water will be diverted from site.” Where will it be diverted and what impact will the quarry have on ground water? Domestic wells may be affected.

Environmental Elements Section 5 Animals a. ECP did not check mammals even though this is a prime habitat for mule deer. A large elk herd also frequents the area.

Environmental Health Section 7 a. ECP states there is no exposure to the risk of fire. This is an area of high fire danger.

Environmental Health Section 7 b 2. What types and levels of noise would be created by or associated with the project? ECP gives no answer to that question other than “Truck and heavy equipment, backup alarms while ‘loading processed products’” There is no mention of the noise from blasting and probable rock crushing.

Environmental Health Section 7 b 3. The proposed measures to reduce noise are “Strategically placed stockpiles to reflect noise” which will not protect from blasting and probable rock crushing, trucks, and heavy equipment. We can already hear the noise from the gravel operation on Bettas Pass along with the windmills: this pit is right in our backyard—noise will abound.

Land and Shoreline Use Section 8 a. What is the current use of the site and adjacent properties? ECP states “Vacant land, one home across from site” --a gross understatement. Take a look: there are ten homes with two more being built in the neighborhood in close proximity to the proposed site.

Land and Shoreline Use Section 8 k 1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans. ECP states” It is compatible with adjacent mineral land that has an existing quarry site. Premium site for product” The mentioned quarry is not in use and has not been for many years. This is a residential neighborhood!

Transportation Section 14 d. ECP states no improvements will be necessary to Bettas Road.

Bettas Rd is a county maintained chip sealed road. Bettas Road was completely destroyed in the first two week of the road being used by commercial trucks during wind farm construction. With constant and continuous use by gravel hauling it won't be able to withstand the commercial traffic pressure.

Transportation Section 14 g. There is no analysis or study regarding traffic safety and the impact of increased truck traffic on Bettas Road other than this on the SEPA checklist ECP states "Truck traffic signs will be posted at either side of entrance." The entrance is located on a blind corner. Bettas Road is barely wide enough to accommodate two cars encountering each other: it is definitely not wide enough or designed for heavy commercial traffic.

Nothing in the SEPA checklist addresses the impacts from blasting and probable rock crushing and its impact on surrounding property from blasting, probable rock crushing, and noise levels? These activities will affect all the homes in Horse Canyon along the entire route of Bettas Road. ECP's SEPA report seems to be incomplete as it does not address these issues.

Under the A-20 zoning 17.29.020 uses permitted #15, this type of activity is allowed: home occupations that do not involve outdoor work or activities, which do not produce noise. A "noise-producing" gravel pit does not seem to be compatible with the zoning requirement. And, mining in this area would conflict with the current land use and should be reviewed to mitigate conflicting uses like residential neighborhoods.

The Bettas Road area is a residential area and this CUP should not be granted as would have significant adverse impacts on the entire neighborhood. This location is not an appropriate place for a gravel pit: it would violate or circumventing permitted land uses and is not compatible with public health or safety. For the reasons stated above, we ask you to disapprove this site for gravel pit operations of any kind.

Sincerely,



David and Sharon Gordon
940 Low Road
Cle Elum, WA 98922
Tele: 509-857-2410
Email: dgordonpm@raquet.net

Horse Canyon Gravel Pit

In regards to the recent request for permit (CU-11-00004) .



I can find no reason to establish a major excavation site on or any where near Bettas road. This is one of the most beautiful places in the state of Washington for viewing wild life . Elk herds Sometimes number in the hundreds. Local deer and other herds migrating through the area will leave not to return. There is also a lot of local raptors, along with a list of local and migratory birds that this will have an effect on.

The quality of life we know in Horse Canyon will be destroyed with the constant coming and going of gravel trucks. The din of machinery constantly processing product will be a constant source of noise, not to mention the blasting that will go on.

My wife and I utilize Bettas road on horse back to access local trails, visit neighbors, and move our cows to pastures. This will become very difficult if not dangerous due to the constant coming and going of trucks.

We moved to horse canyon for the peace and quiet, the rural life style, and a better quality of life. I feel this gravel pit will destroy all of the reasons I have just stated.

Thank You
Bill and Barb Fitzgerald
Horse Canyon Ranch
1751 Bettas RD



2-7-2012

To: Kittitas County Community Development
Project: Horse Canyon Conditional Use Permit (CU-10-00004)

My name is Shannon Cogan
I reside at 3111 Bettas Rd
Cle Elum, WA. 98922
I have lived here eight years. This is my primary and only residence

The site for the requested conditional use permit (CUP) for the gravel pit site is directly across Bettas Rd from my home and property. My home and well are both approximately 100 yards below and across from the site boundary, my barn is approximately 150' from the site boundary, my property line is 60' from the site, and my driveway is directly across the street from the access and staging area for the requested sand and gravel pit.

People have a right to use their property how they see fit within governing laws, county and state codes, and regulations; I also have a right to enjoy my property. When neighboring properties in a rural residential area or anywhere else for that matter use their property in ways that have a huge negative impact on the surrounding area and my property, I am no longer able to enjoy my own property, property that I have a major financial investment in. A gravel pit within such close proximity with blasting, dust, pollution, noise, and constant commercial traffic would take my rights away. It would greatly reduce what's left of my property value, probably to no value whatsoever; potentially ruin my well based on groundwater and the relationship to gravel pit activity studies, as well as negatively impact my health, being forced to live within 60' of all the negative activities associated with a gravel pit. I couldn't sell, I couldn't move, I wouldn't have the resources.

There would most likely be structural damage to the buildings on my property with blasting so close; it can't be good for buildings.

I spent last year going through treatment for cancer and have been left with permanent residual damage, I have severe chronic pain and am losing my ability to walk. I am no longer able to work and am home most of the time. Having a gravel pit directly across from my home would make me even worse; I would have no quality of life. I am already in pain 24/7 and can barely walk but at least I have peace and quiet and can enjoy my own land, I have a right to quiet enjoyment. If I had to move because of a gravel pit I highly doubt anyone would even purchase my property unless it was priced far below what it is worth now. I never would have purchased this property had something like that been there, right across the street so why would anyone else? I moved here eight years ago because of the quiet location and peacefulness in this valley. I already have been forced to live with the wind farm; I certainly don't need a gravel pit right across the street. I just couldn't take it, looking at it, feeling the blasting, the dust, pollution, the constant truck traffic, and hearing all the noise.

I'm not playing the "pity me I'm the pathetic one". I'm already losing sleep over this battle and am physically ill; I just don't need another battle now. A battle I wouldn't be fighting if it weren't for Kittitas County's gross negligence.

I am firm believer when it comes to protecting your view or space, if you have the opportunity/resources to purchase adjacent property you need to buy it or don't complain when someone else does and builds a home that blocks your view or you feel invades your space, that's foreseeable. At gravel pit across the street from my home was not foreseeable or even fathomable to me.

I had absolutely no idea the land across the street was designated as mineral resource land and there could be mining activities associated with that designation until after I received the CUP notice in January 2012. On February 2nd 2012 I found out the mineral land designation was adopted in July of 1996, eight years prior to me purchasing my property. RCW 36.70A.060 (b) states:

"Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals"

No such notice was on any documents or maps pertaining to my property when I purchased it. I would have never purchased in a location that would have allowed this type of activity had I known. I will have to disclose this to any potential buyer now or in the future unless this CUP is denied and the mineral land designation is removed.

Now because of Kittitas County's gross negligence I have to waste my time, health, and energy fighting this in order to protect my well being and my property. I'm losing sleep; I can't eat, and can't enjoy anything right now. Now I have to deal with this. Kittitas County is grossly negligent in not disclosing a material fact that they were required to disclose under RCW 36.70A.060

Just because the wind farm went through and the windmills are in doesn't mean anything goes now. From what I have found out there has been at least three times an application for a conditional use permit has been submitted since 1994 for a gravel pit on Bettas Rd, all have been denied. Why should it be any different now? I don't think any of those were as close to homes either.

I realize there are many things allowed under conditional use but it needs to comply or fit in with the surrounding areas to even be considered for approval. This certainly does not fit into the area whatsoever, maybe many decades ago when Bettas Rd was the highway and the abandoned gravel pit mentioned in the SEPA checklist was in use but not now or in the future. It is completely different here now then it was when that tiny gravel pit was in use.

This entire area is considered a critical area, with the priority habitat species being mule deer. There is also a very large elk herd that frequents the area. It has been, farms, graze land and homesteads for many, many decades, with more and more homes being built over the years and more being built now. It's a beautiful, peaceful, quiet area that should not be destroyed by a commercial business.

There is a stream directly below the proposed site; it would take all the runoff, runoff full of silt and toxins because of the ground disturbance and commercial activities at the pit site. There is a culvert that goes under Bettas Rd onto my property that feeds into the stream. It will most likely clog my culvert and cause the water to flow across my driveway, damaging that as well.

I've been reviewing Ellensburg Cement's recent appeal against the Gibson Quarry (CU-10-00004) and all the reasons Ellensburg Cement Products (ECP) states in the appeal to deny the CUP. (Attached as exhibit A)
ECP is trying to do the same thing as the Gibson Quarry on but on Bettas Rd, property which is also zoned AG-20, but is far more residential.

In a letter dated August 12th 2010 (attached as exhibit A) to Kittitas Community Development from ECP's attorney referencing the Gibson Quarry it states:
"The subject property is in the AG-20. Kittitas County's current zoning code is clear that rock crushing is neither an outright permitted use nor a conditional use in the AG-20 zone. As such the CUP Amendment should have been summarily rejected. The applicant should have been told that a CUP amendment simply cannot be issued under the existing zoning regulations, and that if it wanted to permit such operations, it would have to first request a rezone of the property"
It looks like ECP works things however it best benefits them.

ECP makes no mention of rock crushing on the Bettas Rd site in their SEPA Environmental Checklist but they do state "LOADING PROCESSED PRODUCTS". Gravel extraction and excavation involves several steps. First it is removed from the ground. Next it must be crushed to a more uniform size because it comes out of the ground as a bunch of different-sized rocks, not as uniform gravel from a vein of identically-sized pebbles. Next it must be sorted and washed. Water is needed to crush rock, where will this water come from and where will the runoff be diverted to?

I would like to know how the ground that's "blasted when necessary" will become a manageable size "processed product" without rock crushing. Will ECP be hauling boulders from Bettas Rd to another site state to be further processed or are they selling 80 minus rock now? This would not be feasible or realistic. *How and where will the material be processed?*

SEPA Checklist Omissions and Discrepancies

Environmental Elements Section 2 Air c

There is nothing in the SEPA checklist of any substance or any studies addressing dust control from the quarry. ECP states “Dust control by water truck for activities on site when needed and when site is active.” There is nothing of any substance addressing air quality impacts from all the dust or emissions that will become trapped in the valley *What about when the site is inactive? What will the dust control be then?*

Environmental Elements Section 3 Water a 1)

The SEPA checklist addresses seasonal streams. ECP mentions a spring fed pond that the adjacent owner has rights to. There is a seasonal stream (attached as exhibit B) within 100’ of the site. The ditch that follows Bettas Rd. runs along the western boundary of the proposed site and feeds into the stream by way of two culverts.

ECP made no mention of this stream on the SEPA checklist, a stream that flows into Swauk creek and eventually into the Yakima River. This is a fatal oversight, omission, or flat out lie, as it is obvious and is on maps. None of the maps ECP submitted with their CUP application show the stream or where it goes.

Environmental Elements Section 3 Water c and d)

ECP says “Type 1 Stormwater will be diverted from site”.

To where? The stream ECP failed to mention and the domestic wells in the area they also failed to mention.

There is no analysis whatsoever on the impact of the quarry on ground water, or any determination whatsoever regarding the vulnerability of groundwater in the vicinity of gravel mines. There is absolutely no information regarding the depth or proximity of the surrounding domestic wells. This is either a fatal oversight or ECP feels it is not worth mentioning.

Environmental Elements Section 4 Plants b

On the SEPA checklist ECP states” the site has possibly five trees they may or may not be removed, depending on the site excavation plan” You would have to be blind or unable to count to state that. There are far more than five trees on the site, closer to 50+.

Environmental Elements Section 5 Animals a

ECP did not check mammals even though this is a priority habitat for mule deer. There is also a large elk herd that frequents the proposed site.

Environmental Health Section 7 a

ECP states there is no exposure to the risk of fire. This is an area of extreme fire danger. It can take more than 30 minutes for emergency services to arrive. The elevated fire danger risk associated with the activities of a gravel mine should not be in a neighborhood, the public should not be exposed to the elevated unnecessary risk of fire danger where we live. We are annexed into a fire district but it can still take 30 minutes or more for someone to respond.

Environmental Health Section 7 b 2)

The question is asked, what types and levels of noise would be created by or associated with the project as well as indicate what hours noise would come from the site? ECP gives no answer to that question other than “Truck and heavy equipment, backup alarms, **LOADING PROCESSED PRODUCTS**” In fact there is no mention of the noise from blasting and probable rock crushing. ECP states “LOADING PROCESSED PRODUCTS” on the SEPA checklist. How will it be processed???? The site location is not a stream bed with small rocks, pebbles, and sand. ECP will have to crush rocks to have a processed product. Gravel extraction and excavation involves several steps. First it is dug from the ground. Next it must be crushed to a more uniform size because it comes out of the ground as a bunch of different-sized rocks, not as uniform gravel from a vein of identically-sized pebbles. Next it must be sorted and washed.

Environmental Health Section 7 b 3

The proposed measures to reduce noise are “Strategically placed stockpiles to reflect noise” this won’t do a thing for blasting and probable rock crushing, trucks, and heavy equipment.

It is my understanding gravel mines can operate 24/7; there is no set timeframe or guidelines to hours of operation. I know the Tomas pit on hwy 97 is allowed to operate 24/7 and it does.

Land and Shoreline Use Section 8 a

What is the current use of the site and adjacent properties?

ECP states “Vacant land, one home across from site”.

I know I’m repeating myself but this is definitely worth repeating. There are four homes not the one ECP mentioned on the SEPA checklist within 60’ of the site, two new residential developments, and surrounding homes, one of the developments is adjacent the site. ECP’s answer on the SEPA checklist is not true; in fact it is not even an oversight it is an outright lie. It is clear that there are four homes within 60’ of the site and several homes in the new developments, as well as others that surround the new developments. ECP is trying to cover-up the fact that this is a neighborhood.

Land and Shoreline Use Section 8 k 1

Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans.

ECP states” It is compatible with adjacent mineral land that has existing quarry site. Premium site for product” The mentioned quarry is not in use and has not been for I don’t know how long. Probably since 97 became the hwy and Bettas Rd became a quiet rural road many decades ago. It definitely is not compatible with the existing land use now and neither is the requested gravel pit.

This is a neighborhood, there are four homes within 60’ of the site and two new residential developments, and one of the developments is adjacent to the north side of the site. There are also several homes in the new developments, as well as others that surround the new developments.

Recreation Section 12 a

ECP states there's "Possibly hunting"

Recreation Section 12 b

ECP states the proposed project will not displace any recreational uses which is not true. There are birdwatchers, the residents take daily walks with their dogs, children, and grandchildren, people drive here from other areas just to take their walks, there are horseback riders, and bicyclists. They would all be displaced as Bettas Rd would be entirely too dangerous for public use because of all the commercial truck traffic.

Transportation Section 14 d

ECP states no improvements will be necessary to Bettas Rd.

Bettas Rd is a county maintained chip sealed road, with the commercial traffic the cost to the county to upgrade and maintain Bettas Rd will increase significantly. Bettas Rd was completely destroyed within a week of the road being used by commercial trucks during wind farm construction.

Transportation Section 14 g

There is no analysis or study regarding traffic safety and the impact of increased truck traffic on Bettas Rd other than this on the SEPA checklist ECP states "Truck traffic signs will be posted at either side of entrance" *The entrance is located on a blind corner, where is the study?* Bettas Rd is barely wide enough to accommodate two cars encountering each other, it definitely is not wide enough or designed for heavy commercial traffic, it is a chip sealed narrow road.

This shows how inaccurate and incomplete the SEPA checklist is, it should be rejected. The requested CUP should be denied.

Nothing on the SEPA checklist addresses the impacts from blasting and the probable rock crushing, rock crushing there certainly will be. Rock crushing will be necessary to process the large material. What about the vibration and it's affect on the surrounding properties from blasting and probable rock crushing or just blasting alone? What about the noise levels? These activities will severely affect the four homes within 60' of the site (attached as exhibit C); it will also affect the two new residential developments and surrounding homes not mentioned on the SEPA checklist. ECP makes brief mention of one home across from the site and vacant land on the SEPA checklist. What ECP says about the surrounding area is not true; in fact it is an outright lie. It is clear that there are four homes within 60' of the site and several homes in the new developments, as well as other homes that surround the new developments. ECP is trying to cover-up the fact that this is a neighborhood by omission on the SEPA checklist. You would have to be blind to not see what the surrounding area is. *What about the impact to all these homes, where are the studies?* This shows how inaccurate and incomplete the SEPA checklist is and should be rejected, and the requested CUP be denied.

Under the A-20 zoning 17.29.020 uses permitted #15 this type of activity is allowed:
Home occupations that do not involve outdoor work or activities, which do not produce noise

Why would gravel pit be permitted in a neighborhood? A commercial activity that produces so much noise, an activity that is injurious to public health, welfare, and safety.

Mining in this area would conflict with the current land use and must be reviewed in accordance with:

“GPO 2.144 New conflicting uses, such as residential and commercial uses, may be required by the County to locate, site, and/or be screened away from designated commercial mining activities.”

Bettas Rd. is a residential area period and this CUP should not be permitted to be considered in this location.

Everything associated with this CUP if approved would have significant material adverse impacts on the entire neighborhood.

The CUP requested by ECP cannot be approved. ECP has not been forthright whatsoever and has outright lied on their answers on the SEPA checklist.

This location cannot be found by Kittitas County to be:

- Desirable to public to health – Being a small valley the pollutants and dust from the gravel pit would be trapped in the valley forcing all of us that live here to breathe the stagnant polluted, dust filled air. The noise and vibration from blasting and probable rock crushing would echo through the valley. Our aquifers could become contaminated from blasting, spills, and runoff from the newly exposed earth. The stress to the public living in such close proximity to the activities associated with a mine operation would be overwhelming.
- Desirable to public safety – Bettas Rd is a very quiet road with very little vehicle traffic. Because of this people come here for their walks, there are horseback riders, pets, and children. It has been my understanding that this is open range area. The commercial truck traffic would make Bettas Rd a very dangerous road for the public and livestock.

You cannot approve this conditional use permit and allow my quality of life and my neighbors to be destroyed. We will be materially and adversely affected if this conditional use permit was approved.

Sincerely,
Shannon Cogan
3111 Bettas Rd
Cle Elum, WA 98922
509-857-2171

GROFF MURPHY
LAWYERS

"Exhibit A"

5 pages

August 12, 2010

RECEIVED

AUG 13 2010

Kittitas

300

Michael J. Murphy

E-Mail: mmurphy@groffmurphy.com

**VIA FACSIMILE
AND FEDERAL EXPRESS**

Kittitas County Community
Development Services
411 N. Ruby, Suite 2
Ellensburg, WA 98926

Re: Gibson Conditional Use Permit Application (CU-10-00004)

To Whom It May Concern:

I represent Ellensburg Cement Products, Inc. ("ECP"), which is located at 2121 Highway 97, P.O. Box 938, Ellensburg, WA 98926. Pursuant to a Notice of Application dated July 29, 2010, ECP was notified of the proposed amendment to the CUP for the Gibson Quarry located north of Parke Creek Road in Section 8, Township 17 North, Range 20 East, W.M. (the "Application"). This letter is intended to provide ECP's written comments on the Application.

As a threshold matter, it is clear that the application should have been rejected by Kittitas County Community Development Services ("CDS") as being facially defective. The subject property is in the AG 20 Zone. Kittitas County's current zoning code is clear that rock crushing and asphalt plants are neither an outright permitted use nor a conditional use in the AG 20 Zone. As such, the requested CUP Amendment should have been summarily rejected. The applicant should have been told that a CUP amendment simply cannot be issued under the existing zoning regulations, and that if it wanted to permit such operations, it would have to first request a rezone of the property.

The application should have been summarily rejected for a second reason. The Gibson Quarry operation is currently violating the existing CUP (issued to John Miller on December 1997). The Gibson Quarry is currently operating on Parcel Map No. 17-20-08010-0006 (42.41 acres). The CUP issued in 1997 *only* applies to Parcel Map No. 17-20-08040-0011 (13.40 acres). In short, the gravel extraction operation (and occasional illegal rock crushing) currently operating on Parcel No. 17-20-08010-0006 (42.41 acres) is operating without *any* County permits and is thus an illegal operation. For purposes of the proposed CUP amendment, however, the critical point is that nothing in the Application suggests that the applicant is proposing to expand the *area* of the original CUP to include Parcel 17-20-08010-0006 (42.41

GROFF MURPHY, PLLC

300 EAST PINE STREET SEATTLE WASHINGTON 98122

(206) 628-9500 www.groffmurphy.com (206) 628-9506 FACSIMILE

"A"

acres), where the quarry operations are now focused, or Parcel Numbers 17-20-08010-0003 through 0005 (an additional 9 acres), the parcels into which the applicant proposes to expand its mining operations. Hence, there is a clear inconsistency between what the Application says and what the applicant is actually asking the County to approve. For that reason the application should be rejected. Indeed, it should not have been accepted in the first place as it clearly incomplete and defective on its face.

Further, the Notice of Application states that "[t]he County expects to issue a Determination of Non-Significance (DNS) for [the] proposal." But as of June 29, 2010, when the application was deemed "complete", the applicant had not even submitted a SEPA checklist. A SEPA checklist was apparently submitted on July 13, 2010, but it is unsigned and undated and appears to be a copy of the two year old SEPA checklist given to the Department of Natural Resources in 2008 when Louie Gibson (improperly) requested a reclamation permit from DNR for a 60 acre mine, when the underlying County CUP for mining only covered 13.40 acres.

Further, it is clear that the old 2008 DNR SEPA checklist does not even remotely conform to the currently pending request:

- The new Application purports to apply to 84 acres, but the 2008 DNR SEPA checklist only applies to 60 acres.
- The 2008 DNR SEPA checklist says "rock crushing . . . might possibly occur in the future." The Application specifically requests that the CUP be amended to include "rock crushing."
- The 2008 DNR SEPA checklist says nothing about "washing", and claims that no ground water will be withdrawn, and no water will be discharged to ground water. The Application, however, specifically requests that the CUP be amended to include "washing," which will presumably require both ground water withdrawal and discharge.
- The 2008 DNR SEPA checklist says nothing about concrete batch plans or asphalt production, and claims that there will be no air quality impacts other than some "minor amounts of dust" and "normal engine exhaust." The Application, however, specifically requests that the CUP be amended to include concrete and asphalt production.
- The 2008 DNR SEPA checklist claims that the "nearest houses are owned by proponent" and that there are only "dispersed residences" on site and on adjacent properties. This outdated response fails to acknowledge that two residential short plats have been approved, one immediately to the north of the subject site (Sunny Sage Short Plat, SP 10-00006) and the other to the northwest of the subject site (Badger Bluff Short Plat, SP 09-00010).

"A"

- The 2008 DNR SEPA checklist falsely claims that the subject property is zoned Rural 3. As noted above, the subject property is zoned Ag 20.

From the foregoing, it is clear that the 2008 DNR SEPA checklist is outdated, incomplete, and inaccurate.

Under controlling SEPA regulations, the use of the 2008 DNR SEPA checklist is improper. First, under WAC 197-11-315(4), "The lead agency *shall* prepare the checklist or require an applicant to prepare the checklist." (emphasis added). This is not optional, and it was not done. While the applicant may have submitted a checklist, none was prepared for this application, as is readily apparent from the bullet points set forth above.

Second, prior environmental documents cannot be used for a new "threshold determination" if there are "(i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts . . . , or (ii) New information indicating a proposal's probable significant adverse environmental impacts. (This includes *discovery of misrepresentation* or lack of material disclosure.)" WAC 197-11-600(3)(b) (emphasis added).

Both circumstances are present here. The current proposal is a full 1/3rd larger than the one considered by DNR, is now adjacent to a residential subdivision, and now expressly includes operations such as washing, rock crushing, and concrete and asphalt production that have much greater environmental impacts than the surface mining and possible occasional rock crushing described in the 2008 DNR SEPA checklist.

Further, it is clear that the 2008 DNR SEPA checklist misrepresented critical information relevant to the pending Application: in particular the zoning of the property and the existence of a valid CUP for the mining operation on all 60 acres. As noted above, it is undisputed that the property is zoned AG 20 (which does not permit the requested activities) and the existing CUP only applies to 13.40 acres, not 60 and not 84. Accordingly, the 2008 DNR SEPA checklist cannot be used for the environmental review of this Application.

It is equally apparent from the content of the 2008 DNR SEPA checklist and the minimal amount time that has passed between its submission and the issuance of the Notice of Application on July 29, 2010 that no meaningful SEPA review has occurred. How the obvious deficiencies could be missed is shocking, and reflects a complete abdication of the SEPA review process by CDS. It is clear that CDS has simply tried to adopt DNR's determination without doing any review of the legal and environmental issues relevant to compliance with the County's land use and environmental regulations, which are the standards under which the Application must be judged.

Additional flaws in the environmental review process are apparent from the following undisputable facts:

'A'

- Neither the SEPA Checklist nor any studies address noise impacts of the proposed expansion of the quarry or the new quarry operations, such as rock crushing and concrete and asphalt production. As noted above, there are now two residential developments near the expanded quarry.
- There is nothing in the SEPA Checklist of any substance nor any studies addressing dust control from the expanded quarry operations and potential rock crushing. Again, the impacts on the two new residential developments have not been considered or addressed at all.
- There is nothing of substance in the SEPA Checklist and no independent studies addressing odor control and air quality impacts, including toxic emissions from the proposed asphalt plant. These are likely to have significant material adverse impacts on the two new residential developments, one of which is immediately adjacent to the expanded quarry operation.
- Neither the SEPA Checklist nor any studies address impacts from blasting, including vibration, on the surrounding properties, including the two new residential developments.
- There is no analysis or study regarding traffic safety and the impact of increased truck traffic on Park Creek Drive.
- There is no analysis whatsoever of the impact of the quarry operation on groundwater, or any determination whatsoever regarding the vulnerability of groundwater to the impacts of toxic substances, the wastewater from the proposed washing operation, or storm water runoff. Indeed, there is no recognition, other than in the application, that there will be a washing operation. There is absolutely no information regarding the depth or proximity of surrounding wells or the hydraulic connectivity between the pit excavation areas, discharge areas from the washing operation, and the well recharge areas.
- There is no information provided with the Application or the SEPA Checklist indicating that the applicant has a water right for gravel washing at this location. Given the sensitivity of water use issues in Kittitas County, including currently pending proceedings before the State Supreme Court, the lack of any discussion of this issue is a fatal oversight.
- There is absolutely no substantive discussion, study or documentation regarding a spill prevention control and countermeasures plan, even though there will be refueling operations and asphalt liquid tanks and/or tanker trucks on sight.
- Finally, there is no substantive discussion or evaluation of habitat impacts or mitigation of same.

"A"

Kittitas County Community Development Services
August 12, 2010
Page 5

It is painfully obvious from the foregoing list of deficiencies that in addition to ignoring the basic zoning requirements for the subject property, the SEPA review has been completely inadequate given the nature of the Application.

For the reasons set forth above, ECP requests that the Application be rejected and that the applicant be directed to comply with all applicable zoning, land use, and environmental laws in submitting a new application. ECP also requests that the County take action to shut down what is clearly an illegal mining operation on Tax Parcel 17-20-08010-0006 (42.41 acres) because the existing Conditional Use Permit only covers Tax Parcel 17-20-08040-0011 (13.40 acres), and there is no right under existing County land use regulations for there to be any mining operation on Tax Parcel 17-20-08010-0006 (42.41 acres). The fact that the applicant has a DNR reclamation permit is irrelevant because the law is clear that the State Surface Mining Act does not preempt local land use regulation. *Baker v. Snohomish County Department of Planning and Community Development*, 68 Wn. App. 581 (1992).

Very truly yours,

GROFF MURPHY, PLLC



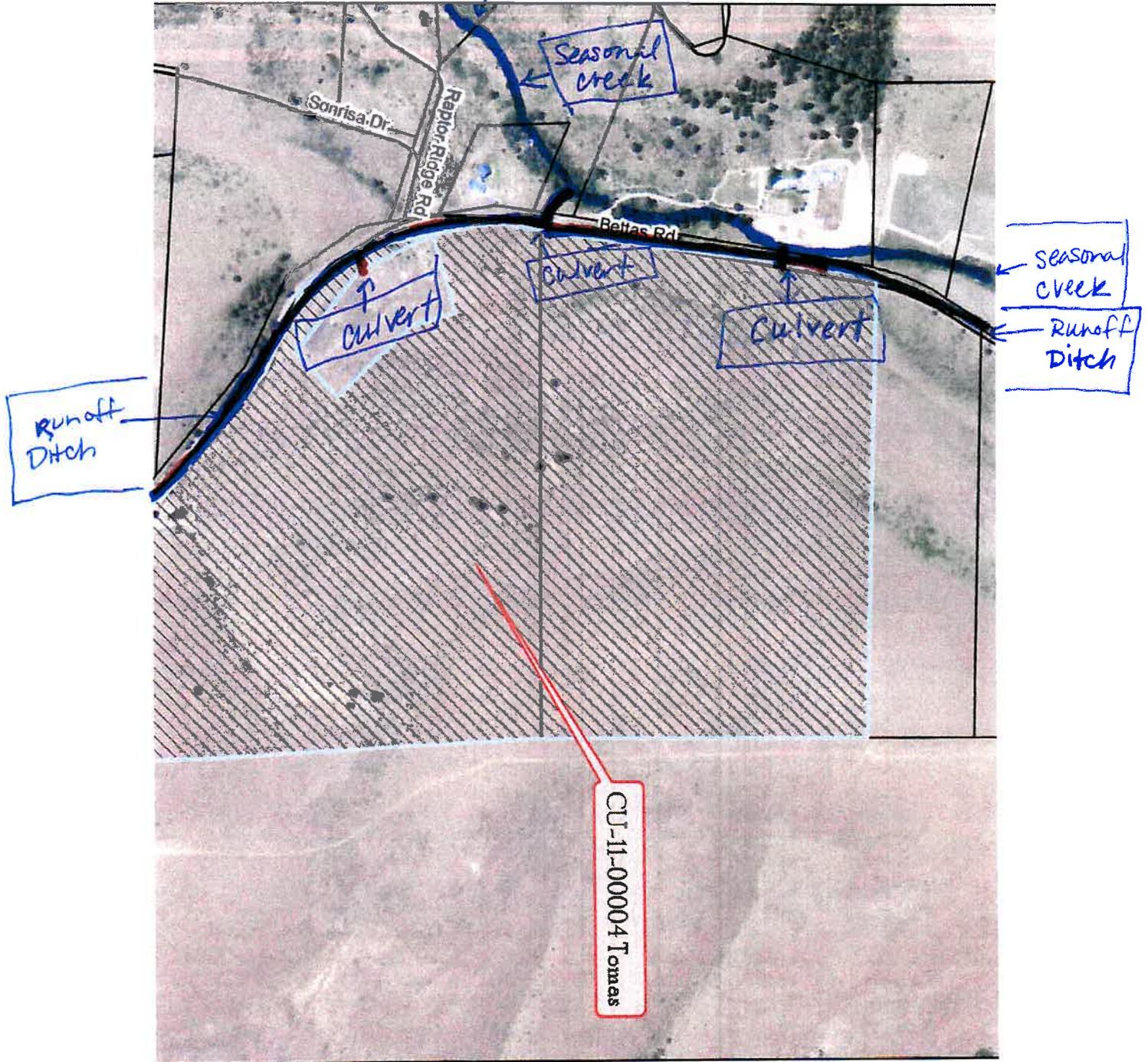
Michael J. Murphy

MJM:br

Exhibit "B"

7 pages

This stream runs into Swank Creek



Stream

" Exhibit B "

2 pages



Map Center: Township:19 Range:17 Section:9

Kittitas County Disclaimer

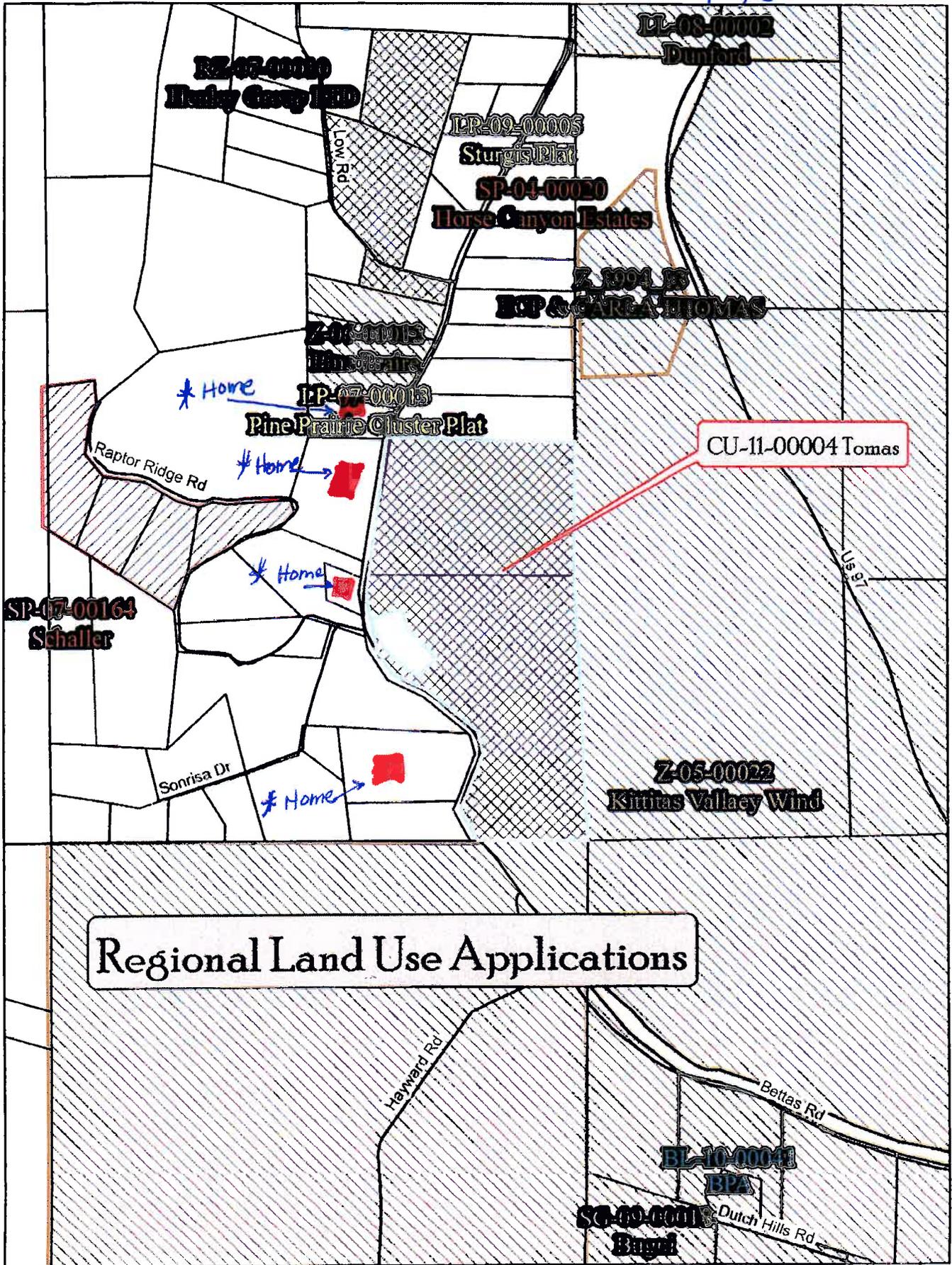
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation.

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.



"Exhibit C"

1 page



Regional Land Use Applications

Full time residences within 500' of proposed Pit
Property lines 60' from site

To Community Development Services

I live at 3201 Betty Rd Cle Elum
98922. The sit for the proposed gravel
pit is right across the road from my home.

I moved here because it was peaceful
and with all the noise & dust I will
not have that anymore.

I am home most of the time and am
low income. I spent most all my money
on this home and can not afford
any loss this gravel pit will bring.

I also see a lot of safety problems.
I truly hope you will not approve
Permit CU-10-00004.

Tom R. Colvin





1/21/2012

To Community Development Services

I live at 3201 Bettas Rd
Cle Elum, 98922

The site for the proposed gravel pit is right across the road from my home. I moved here because it was peaceful and with all and with all the dust and noise I will not have that anymore. I am home most of the time and am low-income. I spent most of my money on this home and cannot afford any loss this gravel pit will bring. I also see allot of safety problems.

I truly hope you will not approve permit CU-10 00004 Horse Canyon Conditional Use Permit.

Tom A Colvin

Tom R Colvin

Dr. Robert and Mrs. Annmarie Kelly
10305 15th Ave. NW
Seattle, WA 98177

January 31, 2012



Dan Valoff
Kittitas Co.
Community Development Services
411 N Ruby St. #2
Ellensburg, WA 98926

Dear Mr. Valoff,

We are writing to express our concern about the pending decision to allow the development of a 65 acre Sand and Gravel Mining operation. A year ago we purchased 50 acres on Bettas Road (lots 6,7,8 and 9). Our property abuts immediately to the north of the proposed site. In short, we will have 65 acres of gravel pit right next door!

The noise and visual impact of crushing rock and regular trucks will certainly blight the beauty and tranquility of our little valley. Windermere realestate agent Jan Wanechek says that it will diminish the value of our property and compared it to "living next to an airport."

We purchased the property as a long term investment specifically toward the higher education of our 4 children. Now we wonder if we have just sunk well over \$100,000 into an unsellable piece of property, jeopardizing our investments.

The sight and sound of crushing rock and rumbling trucks will destroy our views, leave us feeling more stressed and makes walking and biking Bettus road unsafe for the residents, particularly for the children of Horse Canyon.

We realize there is a demand for gravel. But are these tradeoffs that we really want to make?

Please deny the conditional use permit. We look forward to your response.

Sincerely,

Dr. Robert Kelly
Annmarie Kelly

Two handwritten signatures in black ink. The top signature is "Robert Kelly" and the bottom signature is "Annmarie Kelly".

David Firth

2082 Bettas Road
Cle Elum WA 98922
509.857.2009
509.857.2058 fax
dfirth@provel.us



Kittitas County Community Development Services

2.06.12

Re: CU-11-00004 Horse Canyon

The permit requires that the project is essential and " not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood." Converting grazing land to a 65 acre gravel pit would change the character of the surrounding neighborhood not only by converting grazing land to industrial use, but also by adding noise and truck traffic to an otherwise quiet agricultural area with at least six nearby residences.

Sincerely,

A handwritten signature in black ink, appearing to read "David G. Firth". The signature is fluid and cursive, with a large initial "D" and "F".

David G. Firth

Kittitas County Community Development Services

February 2, 2012

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



Subject: Horse Canyon Conditional Use Permit

Dear Sirs,

I strongly oppose the issuance of a Conditional Use Permit for the development of the 65 acre sand and gravel mining operation located on Bettas Road north of Hayward, Road, Cle Elum, WA . , for the following reasons:

1. The noise from blasting and trucking of the material will ruin the quiet and peaceful atmosphere of Horse Canyon!
2. Blasting could damage the home foundations of nearby homes.
3. The noise from the operation will negatively affect the Property Values of the homes and lots in Horse Canyon.
4. Blasting will disturb the area wildlife and domestic animals. (horses and cattle)
5. The added use of gravel trucks in the operation will speed damage to Bettas Road, increasing road repairs.
6. Blasting could damage or change the Water Table in Horse Canyon.
7. Blasting could drive the elk away from Horse Canyon , the traditional migratory route for at least three different herds.

For these reasons, please do not issue the Conditional Use Permit for the development of the 65 acre sand and gravel operation on Bettas Road.

Charles J. Holtz
Sharon L Holtz

Charles J. and Sharon L. Holtz

108 Low Road

Cle Elum, WA, 98922

Dan Valoff

From: Bob Kelly [bobkelly@microsoft.com]
Sent: Wednesday, February 01, 2012 9:58 PM
To: Dan Valoff; Bob Kelly
Subject: Horse Canyon CUP application

Dr. Robert and Mrs. Annmarie Kelly
10305 15th Ave. NW
Seattle, WA 98177

January 31, 2012

Dan Valoff
Kittitas Co.
Community Development Services
411 N Ruby St. #2
Ellensburg, WA 98926

Dear Mr. Valoff,

We are writing to express our concern about the pending decision to allow the development of a 65 acre Sand and Gravel Mining operation. A year ago we purchased 50 acres on Bettas Road (lots 6,7,8 and 9). Our property abuts immediately to the north of the proposed site. In short, we will have 65 acres of gravel pit right next door!

The noise and visual impact of crushing rock and regular trucks will certainly blight the beauty and tranquility of our little valley. Windermere realstate agent Jan Wanechek says that it will diminish the value of our property and compared it to "living next to an airport."

We purchased the property as a long term investment specifically toward the higher education of our 4 children. Now we wonder if we have just sunk well over \$100,000 into an unsellable piece of property, jeopardizing our investments.

The sight and sound of crushing rock and rumbling trucks will destroy our views, leave us feeling more stressed and makes walking and biking Bettus road unsafe for the residents, particularly for the children of Horse Canyon.

We realize there is a demand for gravel. But are these tradeoffs that we really want to make?

Please deny the conditional use permit. We look forward to your response.

Sincerely,

Dr. Robert Kelly

Dan Valoff

From: Thomas Roth [teroth@earthlink.net]
Sent: Tuesday, January 31, 2012 9:45 AM
To: Thomas Roth
Subject: Horse Canyon Estates, proposed gravel pit

Dan Valoff
Kittitas Co.
Community Development Services
411 N Ruby St. #2
Ellensburg, WA 98926

Dear Dan,

I own 17, 21A and 21B in Horse Canyon Estates. Lots 21A and 21B total 49+ acres and are in a five acre zone. A total of nine five acre parcels will be created in 2013 and at that time Horse Canyon Estates will consist of 34 parcels. Most of these parcels are about a quarter of a mile away from the proposed gravel pit.

The valley is pristine and quiet with great views. Obviously I want to object to the proposed gravel pit just south of Horse Canyon Estates. The noise, road damage, dust and truck traffic are completely incompatible with the area. Why locate a gravel pit next to a development that has stable land values and people living in nice homes on a year around basis?

Please deny the conditional use permit. If I can do anything else please let me know.

Sincerely,

Tom Roth
10036 Valmay NW
Seattle, WA 98177
206-295-8589

BARTON H. CLENNON
2350 Maple Street
Wenatchee, WA 98801
(509) 663-3513

January 26, 2012

Dan Valoff
Kittitas County Community Development Services

Dear Dan,

I am writing in opposition to the proposed First Canyon conditional use permit (CU-10-00004).

I own, via my pension, three parcels of land that are just to the west (a little northwest) of the proposed pit site. There is one parcel between my land and the proposed site. The tax parcel numbers are 19-17-09010-0009, 19-17-09010-0008, and 19-17-09010-0010.

I feel this is inappropriate for many reasons including such things as road damage, noise, dust, etc. This is a peaceful valley that does not have a road put in for this type of use. It will have a significant negative impact on the values of not only my property, but many other in the area.

I strongly urge you to reject this conditional use permit. If I can provide any other input, please let me know.

Best regards,



Barton H. Clennon



**Washington State
Department of Transportation**
Paula J. Hammond
Secretary of Transportation

South Central Region
2809 Rudkin Road, Union Gap
P.O. Box 12560
Yakima, WA 98909-2560

(509) 577-1600
TTY: 1-800-833-6388
www.wsdot.wa.gov

January 26, 2012



Kittitas County Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, WA 98926

Re: Conditional Use Permit CU-10-00004

To whom it may concern:

The applicant's request for a conditional use permit (referenced above) seems to assume the use of the State's property for access and as a staging area. No such proposal has been made to the State.

The State is in the final stages of preparing that parcel for sale. In fact, in all likelihood, it will be offered to the abutter who is the applicant in this request before the County. To date though no such transaction has taken place.

To the extent that any of this information affects the County's decision making process I wanted to keep you informed. If you have any questions I can be reached in Yakima at (509) 577-1661.

Sincerely,

Stewart L. Reif
Propert Management Supervisor
South Central Region

slr/slr



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490



February 1, 2012

Dan Valoff
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: CU-11-00004

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the development of a 65 acre sand and gravel mining operation, proposed by Lenny Morrison on behalf of Carla Thomas. We have reviewed the documents and have the following comments.

Please note that the property owner's name has been misspelled on several of the project documents (i.e., Notice of Application, and Conditional Use Permit application). The property owner is Carla Thomas and not Carla Tomas.

The Reclamation Permit is missing from the list of Required Permits on Kittitas County's Notice of Application dated January 20, 2012.

The following information, if applicable, should be included in the environmental checklist to facilitate environmental review:

- How much material is proposed to be removed and to what depth?
- Is there an existing scale house or will one be constructed?
- Describe all activities that will occur on this site during the sand and gravel operation. Will there be stockpiling, crushing, washing, and/or hauling of the materials? If so, please describe.
- It is recommended to list which BMP's will be used.
- What are the proposed days and hours of operation?
- At the peak, how many trucks trips will occur?



Mr. Valoff
February 1, 2012
Page 2

Shorelands/Environmental Assistance

The environmental checklist mentions that there is a spring that is adjacent to the project, but no information is given as to how far away the spring is or whether the spring is part of a wetland or stream system. The potential effects of the quarry activities (ground or surface water disruption or interception) should be discussed in the documents. If effects on the spring are anticipated, mitigation measures should be taken.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact Catherine Reed at (509) 575-2616.

Water Quality

Ecology concurs that the Sand & Gravel General Permit is required for this site.

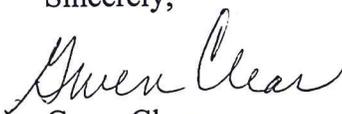
The following information pertains to responses within the environmental checklist:

- #1. Earth b.
Slopes on maps show maximum 50% while the SEPA environmental checklist states 40%.
- #3. Water – a. Surface
“Yes, adjacent to the proposal the property owner has rights to a year round spring that feeds a small stock water pond.”

The mine operation cannot intercept water bearing units within and between basalt flows that feed the stock water pond.

If you have any questions or would like to respond to these Water Quality comments, please contact Lorraine Powell at (509) 457-7113.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012



January 30, 2012

Kittitas County Community Development Services
411 N Ruby, Suite 2
Ellensburg, WA 98926



Subject: Comments for Horse Canyon Conditional Use Permit(CU-10-00004).

Dear Kittitas County Community Development Services,

Thank you for the opportunity to comment on the proposed 65 acre sand and gravel mine, Horse Canyon, at Section 9, Township 19 North, Range 17 East W.M. in Kittitas County. The 65 acre mine does require a Department of Natural Resources (DNR) Surface Mine Reclamation Permit (SMRP) as defined in RCW 78.44.031 (17).

(a) "Surface mine" means any area or areas in close proximity to each other, as determined by the department, where extraction of minerals results in:

(i) More than three acres of disturbed area;

(ii) Surface mined slopes greater than thirty feet high and steeper than 1.0 foot horizontal to 1.0 foot vertical; or

(iii) More than one acre of disturbed area within an eight acre area, when the disturbed area results from mineral prospecting or exploration activities.

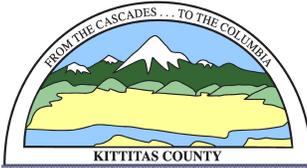
(b) Surface mines include areas where mineral extraction from the surface or subsurface occurs by the auger method or by reworking mine refuse or tailings, when the disturbed area exceeds the size or height thresholds listed in (a) of this subsection.

(c) Surface mining occurs when operations have created or are intended to create a surface mine as defined by this subsection.

Failure to comply may result in a Stop Work Order per RCW 78.44.380. If you have any questions, please feel free to contact me.

Sincerely,

Carrie Gillum
Surface Mine Reclamation Specialist
WA Department of Natural Resources
360-902-1438
360-902-1785 (fax)



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

NOTICE OF APPLICATION

Project Name: Horse Canyon Conditional Use Permit (CU-11-00004)
Notice of Application: January 20, 2012
Application Received: November 30, 2011

Applicant: Lenny Morrison, authorized agent for Carla Tomas property owner.

Proposal: Conditional Use Permit for the development of a 65 acre sand & gravel mining operation on a 165 acre site in the Agriculture 20 zone.

Location: The project is located on Bettas Road north of Hayward Road, Cle Elum, WA, located in a portion of Section 09, T19N R17E WM in Kittitas County. Map numbers: 19-17-09040-0003 & 19-17-09010-0003.

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 <http://www.co.kittitas.wa.us/cds/current/>.
Phone: (509) 962-7506.

Written Comments on this proposal can be submitted to CDS any time prior to 5:00 p.m. on February 6, 2012. Any person has the right to comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made. Appeal procedures can vary according to the type of decision being appealed, and are described in Kittitas County Code, Title 15A.

Environmental Review (SEPA): The County expects to issue a Determination of Non-Significance (DNS) for this proposal, and will use the optional DNS process, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal. Mitigation measures may be required under applicable codes, such as Title 17 Zoning, Title 17A Critical Areas, and the Fire Code, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the threshold determination may be obtained from the County.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Board of Adjustment after the SEPA environmental threshold determination has been issued. A Public Hearing Notice will be issued establishing the date, time and location of this hearing.

Required Permits: Conditional Use Permit & DOE General Sand & Gravel Permit.

Required Studies: None.

The following development regulations will be used for project mitigation and consistency:

- Kittitas County Comprehensive Plan & Zoning Ordinance.

NOTICE OF APPLICATION

Applicant: Lenny Morrison, authorized agent for Carla Tomas property owner.

Proposal: Conditional Use Permit for the development of a 65 acre sand & gravel mining operation on a 165 acre site in the Agriculture 20 zone.

Location: The project is located on Bettas Road north of Hayward Road, Cle Elum, WA, located in a portion of Section 09, T19N R17E WM in Kittitas County. Map numbers: 19-17-09040-0003 & 19-17-09010-0003.

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 <http://www.co.kittitas.wa.us/cds/current/>. Phone: (509) 962-7506.

Written Comments on this proposal can be submitted to CDS any time prior to 5:00 p.m. on February 6, 2012. Any person has the right to comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made. Appeal procedures can vary according to the type of decision being appealed, and are described in Kittitas County Code, Title 15A.

Environmental Review (SEPA): The County expects to issue a Determination of Non-Significance (DNS) for this proposal, and will use the optional DNS process, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal. Mitigation measures may be required under applicable codes, such as Title 17 Zoning, Title 17A Critical Areas, and the Fire Code, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the threshold determination may be obtained from the County.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Board of Adjustment after the SEPA environmental threshold determination has been issued. A Public Hearing Notice will be issued establishing the date, time and location of this hearing.

Publish: January 20, 2012



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: Horse Canyon Conditional Use CU-11-00004

NOTIFICATION OF: Notice of Application

NOTIFICATION MAIL DATE: January 20, 2012

I certify that the following documentation:

- Notice of Application for the Horse Canyon Conditional Use CU-11-00004
-

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

Dan Valoff
Community Development Services Planner
County of Kittitas
State of Washington

Subscribed and sworn to before me this 20 day of January, 2012



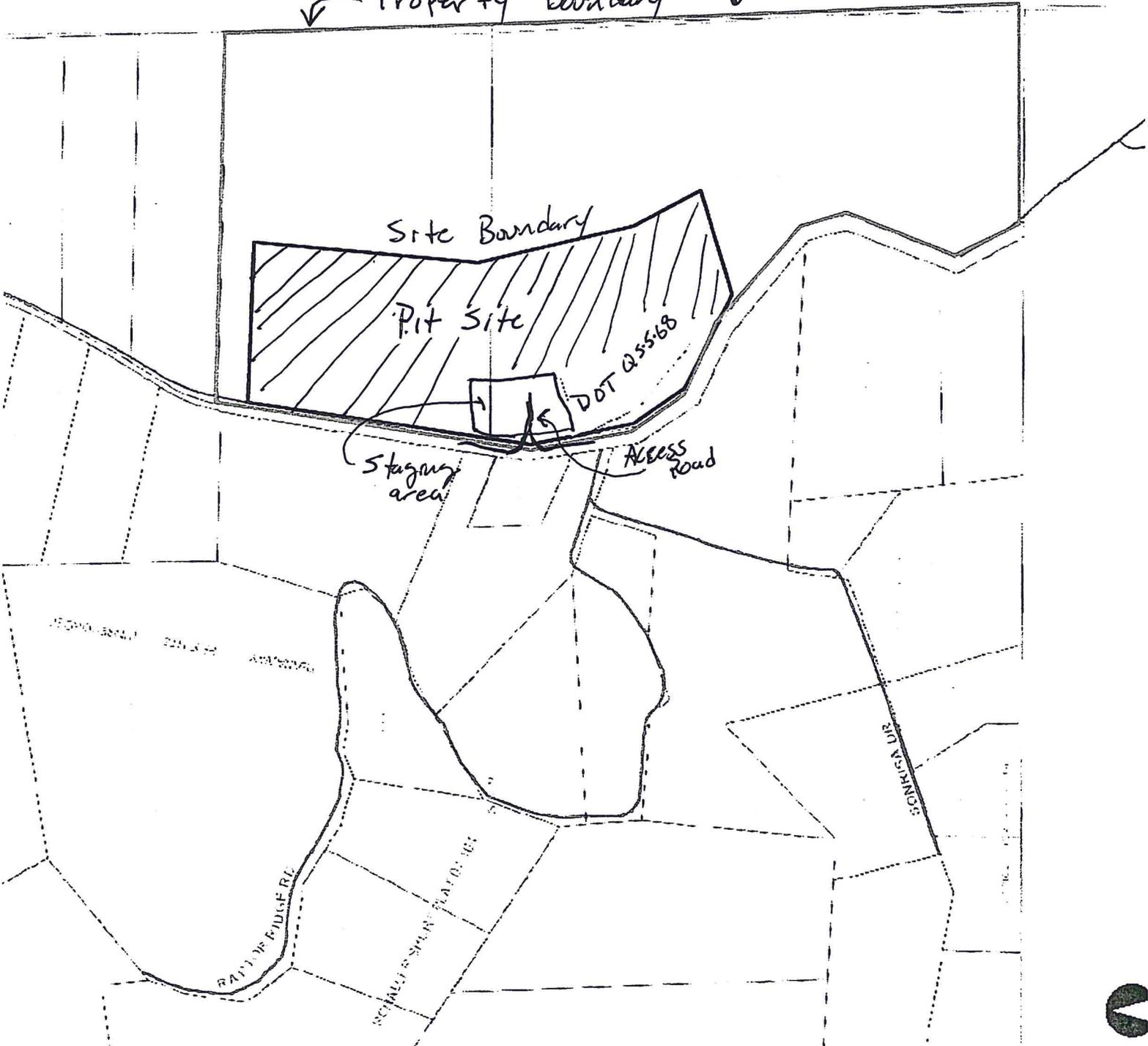
Signature

Amanda J. Weed
Notary Public for the State of Washington residing
in Ellensburg.

My appointment expires: August 25, 2015

RECEIVED
JAN 09 2012
KITITAS COUNTY
CDS

↙ Property Boundary ↘



HOLTZ, CHARLES J ETUX
TRUSTEES
108 LOW RD
CLE ELUM WA 98922-

STATE OF WASH (DOT)
REAL ESTATE SERVICES
PO BOX 12560
YAKIMA WA 98909-

BELL, WAYNE T ETUX
3911 BETTAS RD
CLE ELUM WA 98922

SCHEUFFELE, CHARA
PO BOX 463
ROSLYN WA 98941-

SMITH, DOUGLAS C
9806 NE DAY RD
BAINBRIDGE WA 98110

THOMAS, CARLA L.
911 ROBBINS RD
ELLENSBURG WA 98926

Lenny Morrison
Ellensburg Cement Products
P.O. Box 938
Ellensburg, WA 98926

WA Dept. of Natural Resources
Attn: Loraine Powell
713 E. Bowers Rd.
Ellensburg, WA 98926

Kittitas County Public Works

STERLING TRUST CO CUSTODIAN
FBO BARTON H CLENNON
2350 MAPLE ST
WENATCHEE WA 98801-8214

CAMPBELL, GREGORY M &
COGAN, SHANNON A
3111 BETTAS RD
CLE ELUM WA 98922

STORWICK, LANE K
9793 RD M.2 NE
MOSES LAKE WA 98837-

BUGNI, PETE & GLORIA
361 CEDAR COVE RD
ELLENSBURG WA 98926-

OLSON, RANDALL B
800 N 27TH LANE
MC ALLEN TX 78504-

KELLY, ROBERT W ETUX
10305 15TH AVE NW
SEATTLE WA 98177-

BELL, PRESTON P
3911 BETTAS RD
CLE ELUM WA 98922-

Washington Dept. of Ecology
Regional Director
15 W. Yakima Ave. Ste. 200
Yakima, WA 98902-3401

Kittitas County Fire Marshal

COLVIN, THOMAS
3201 BETTAS RD
CLE ELUM WA 98922-

RAND, MARTIN L. &
SCHALLER, ROBERT T. ETUX
2845 ROOSEVELT AVE
ENUMCLAW WA 98022-

ACKERSON, GARY S ETUX
151 DUTCH HILLS RD5
CLE ELUM WA 98922

GENSON, MICHAEL K
PO BOX 568
TOLEDO WA 98591-

PAUTZKE BAIT CO INC
PO BOX 36
ELLENSBURG WA 98926

STATE OF WASH (DNR)
1111 WASHINGTON ST SE
PO BOX 47016
OLYMPIA WA 98504-7016

Bill Fitzgerald
1751 Bettas Rd.
Ellensburg, WA 98926

SEPA Unit
Department of Ecology
P.O. Box 47703
Olympia, WA 98504-7703

Kittitas County Code Enforcement

DAILY RECORD/KITTITAS PUB
ORDER CONFIRMATION (CONTINUED)

Salesperson: KATHY ADAMS

Printed at 01/18/12 11:38 by cad18

Acct #: 84329

Ad #: 604733

Status: N

**NOTICE OF
APPLICATION**

Applicant: Lenny Morrison,
authorized agent for Carla
Tomas property owner.

Proposal: Conditional Use
Permit for the development of
a 65 acre sand & gravel min-
ing operation on a 165 acre
site in the Agriculture 20 zone.

Location: The project is located
on Bettas Road north of
Hayward Road, Cle Elum,
WA, located in a portion of
Section 09, T19N R17E WM in
Kittitas County. Map
numbers: 19-17-09040-0003
& 19-17-09010-0003.

**Materials Available for
Review:** The submitted
application and related filed
documents may be examined
by the public at the Kittitas
County Community Develop-
ment Services (CDS) office at
411 N. Ruby, Suite 2, Ellens-
burg, Washington, 98926, or
on the CDS website at
[http://www.co.kittitas.wa.us/cds
/current/administrativeuse.asp](http://www.co.kittitas.wa.us/cds/current/administrativeuse.asp).
Phone: (509) 962-7506

Written Comments on this
proposal can be submitted to
CDS any time prior to 5:00
p.m. on February 6, 2012.
Any person has the right to
comment on the application,
receive notice of and partici-
pate in any hearings, and
request a copy of the decision
once made. Appeal proce-
dures can vary according to
the type of decision being
appealed, and are described
in Kittitas County Code, Title
15A.

**Environmental Review
(SEPA):** The County
expects to issue a Determina-
tion of Non-Significance (DNS)
for this proposal, and will use
the optional DNS process,
meaning this may be the only
opportunity for the public to
comment on the environmen-
tal impacts of the proposal.
Mitigation measures may be
required under applicable
codes, such as Title 17
Zoning, Title 17A Critical Ar-
eas, and the Fire Code, and
the project review process
may incorporate or require
mitigation measures regard-
less of whether an EIS is
prepared. A copy of the
threshold determination may
be obtained from the County.

Public Hearing: An open
record hearing will be sched-
uled before the Kittitas County
Board of Adjustment after the
SEPA environmental threshold
determination has been
issued. A Public Hearing
Notice will be issued establish-
ing the date, time and location
of this hearing.

Publish: January 20, 2012

DAILY RECORD/KITTITAS PUB
ORDER CONFIRMATION

Salesperson: KATHY ADAMS

Printed at 01/18/12 11:38 by cad18

Acct #: 84329

Ad #: 604733

Status: N

KITTITAS COUNTY COMMUNITY
DEVELOPMENT SERVICES
411 N. RUBY ST, SUITE 2
ELLENSBURG WA 98926

Start: 01/20/2012 Stop: 01/20/2012
Times Ord: 1 Times Run: *****
STD6 1.00 X 11.07 Words: 324
Rate: LEG2 Cost: 95.20
Class: 0001 LEGAL NOTICES

Contact:

Descript: N/APPLIC CARLA TOMAS

Phone: (509)962-7506

Given by: *

Fax#:

Created: cad18 01/18/12 11:20

Email: dan.valoff@co.kittitas.wa.us

Last Changed: cad18 01/18/12 11:37

Agency:

PUB ZONE ED TP START INS STOP SMTWTFS
DR A 97 S 01/20
IN A 97 S 01/20

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB
 C/O IDAHO STATE JOURNAL RECEIV
 PO BOX 1570
 POCATELLO ID 83204
 (509) 925-1414

Fax(509) 925-5696

Advertising Memo Bill

1 Memo Bill Period 01/2012		2 Advertiser/Client Name KITTITAS COUNTY COMMUNITY	
23 Total Amount Due 95.20		*Unapplied Amount	3 Terms of Payment
21 Current Net Amount Due .00	22 30 Days .00	60 Days .00	Over 90 Days .00
4 Page Number 1	5 Memo Bill Date 01/18/12	6 Billed Account Number 84329	7 Advertiser/Client Number Not A. 84329

8 Billed Account Name and Address KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES 411 N. RUBY ST, SUITE 2 ELLENSBURG WA 98926		Amount Paid: Comments: Ad #: 604733	
---	--	---	--

Please Return Upper Portion With Payment

10 Date	11 Newspaper Reference	12 13 14 Description-Other Comments/Charges	15 SAU Size 16 Billed Units	17 Times Run 18 Rate	19 Gross Amount	20 Net Amount
01/20/12	604733 LEG2	N/APPLIC CARLA TOMAS NOTICE OF APPLICATION 01/20 DR IN	STD6 11.07	1 8.60	95.20	95.20

RECEIVED
 FEB 23 2012
 KITTITAS COUNTY
 CDS

Statement of Account - Aging of Past Due Amounts

21 Current Net Amount Due 0.00	22 30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23 Total Amount Due 95.20
------------------------------------	---------------------	-----------------	----------------------	-------------------	-------------------------------

DAILY RECORD/KITTITAS PUB
 (509) 925-1414

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24 Invoice 604733		25 Billing Period 01/2012		Advertiser Information	
6 Billed Account Number 84329	7 Advertiser/Client Number 84329	2 Advertiser/Client Name KITTITAS COUNTY COMMUNI			

NOTICE OF APPLICATION

Applicant: Lenny Morrison, authorized agent for Carla Tomas property owner.

Proposal: Conditional Use Permit for the development of a 65 acre sand & gravel mining operation on a 165 acre site in the Agriculture 20 zone.

Location: The project is located on Bettas Road north of Hayward Road, Cle Elum, WA, located in a portion of Section 09, T19N R17E WM in Kittitas County. Map numbers: 19-17-09040-0003 & 19-17-09010-0003.

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 <http://www.co.kittitas.wa.us/cds/current/administrativeuse.asp>. Phone: (509) 962-7506

Written Comments on this proposal can be submitted to CDS any time prior to 5:00 p.m. on February 6, 2012. Any person has the right to comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made. Appeal procedures can vary according to the type of decision being appealed, and are described in Kittitas County Code, Title 15A.

Environmental Review (SEPA): The County expects to issue a Determination of Non-Significance (DNS) for this proposal, and will use the optional DNS process, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal. Mitigation measures may be required under applicable codes, such as Title 17 Zoning, Title 17A Critical Areas, and the Fire Code, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the threshold determination may be obtained from the County.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Board of Adjustment after the SEPA environmental threshold determination has been issued. A Public Hearing Notice will be issued establishing the date, time and location of this hearing.

AFFIDAVIT OF PUBLICATION

State of Washington, County of Kittitas, ss: Tyler Miller being first duly sworn on oath, deposes and says: That he is the Publisher of The Daily Record, a daily newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the superior court in the County in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a newspaper in Ellensburg, Kittitas County, Washington, and it is now and during all of said time printed in an true copy of

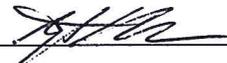
KITTITAS COUNTY COMMUNITY

N/APPLIC CARLA TOMAS

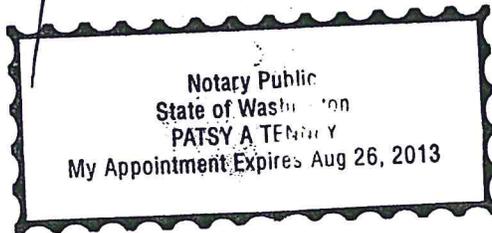
is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

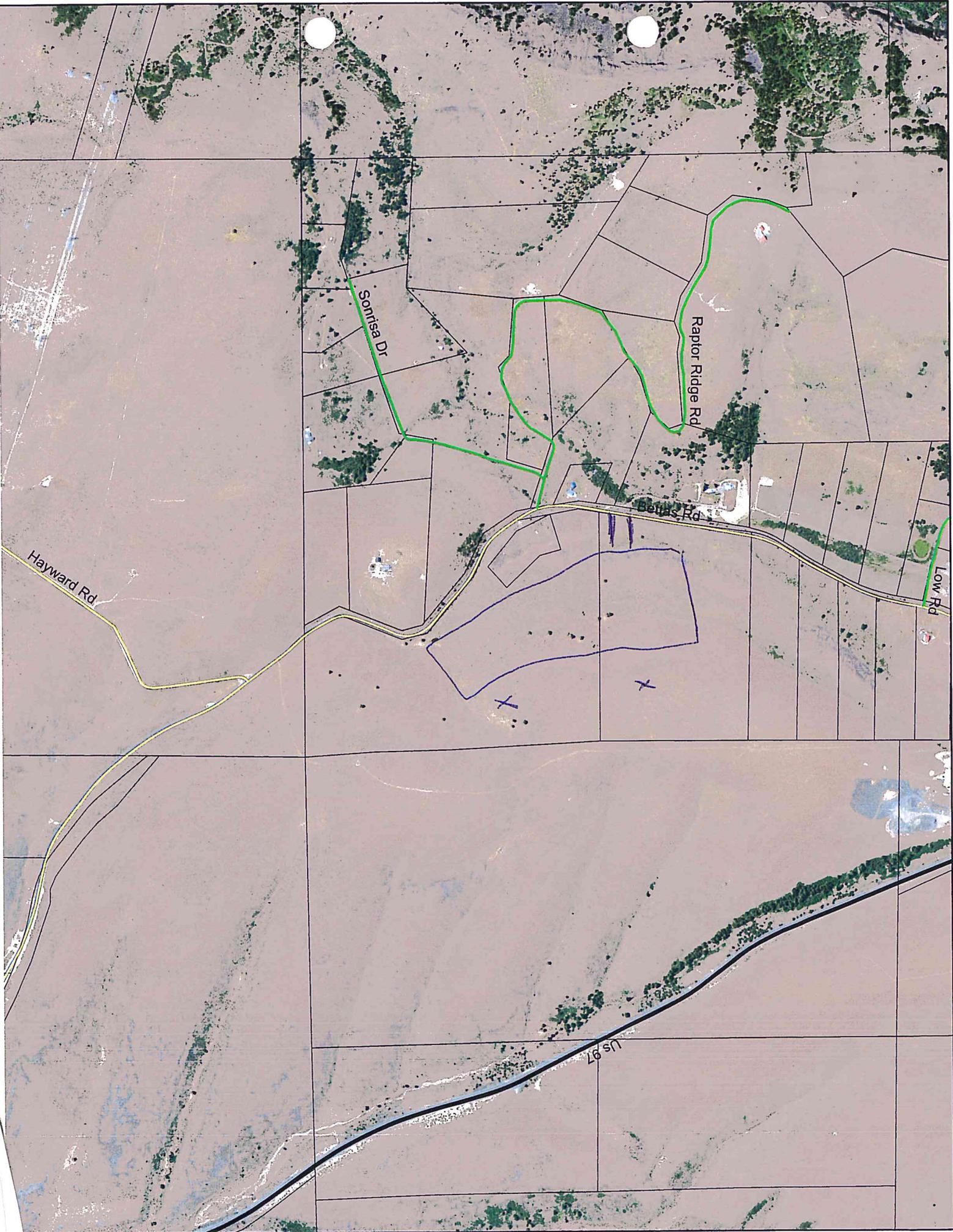
01/20/2012

All dates inclusive and that such newspaper were regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of \$95.20 the rate of \$8.6 per column inch for each insertion.


Subscribed to me this 20th day of January in the year of 2012


PATSY A TENNEY
Notary Public in and for
The State of Washington
Residing at Ellensburg,
Washington (SEAL)





Somisa Dr

Raptor Ridge Rd

Betas Rd

Hayward Rd

Low Rd

Us 97

Dan Valoff

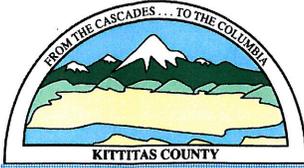
From: Lenny Morrison [lmorrison@ellensburgcement.com]
Sent: Wednesday, January 11, 2012 11:34 AM
To: Dan Valoff
Subject: CU- 11-04
Attachments: lmorrison.vcf

Dan ,

Would you please change the name to to Horse Canyon instead of Tomas Please??

--

Lenny Morrison



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

January 9, 2012

Lenny Morrison
PO Box 938
Ellensburg, WA 98926

Subject: Determination of Application Completeness
Tomas Conditional Use Permit (CU-11-04)

Dear Mr. Morrison:

The Conditional Use Permit application for the Tomas Conditional Use Permit (CU-11-04) was received November 30, 2011. Your application has been determined complete as of January 9, 2012.

Continued processing of your application will include, but is not limited to, the following actions

1. A Notice of Application will be sent to all adjoining property owners within 500 feet of the subject property, interested persons, and reviewing agencies.
2. Posting of the property by the applicant along each street frontage and publishing of a legal notice. This should have already been completed. You may pick up the Land Use Action poster at the Community Development Services office.
3. Consideration of written comments from reviewing agencies, and from adjacent property owners.
4. Issuing a SEPA environmental threshold determination and notification of a Public Hearing date.

If you have any questions regarding this matter, please call me at (509) 962-7637, or by e-mail to dan.valoff@co.kittitas.wa.us.

Sincerely,

Dan Valoff
Staff Planner

RECEIVED

JAN 09 2012

KITTITAS COUNTY
CDS

Property Boundary

Site Boundary

Pit Site

DOT Q5568

Staging area

Access Road

RAPTOR RIDGE RD

SOMERS DR



Site Boundary

Proposed Site

Staging Area

Access

DOT 05-5-08

Horre Canyon

RECEIVED

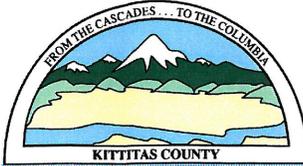
JAN 09 2012

KITTITAS COUNTY
CDS

Image U.S. Geological Survey

© 2011 Google

Google earth



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

December 15, 2011

Lenny Morrison
PO Box 939
Ellensburg, WA 98926

Subject: Tomas Conditional Use Permit (CU-11-04)

Dear Mr. Morrison,

Community Development Services is in receipt of the referenced application. This application has been deemed incomplete and the following additional information is required:

A site plan showing points of access, roads areas to be cut and/or filled and any other features that may provide an understanding of the proposed use and its relationship to the surrounding properties in accordance with KCC 17.60A.030.

When the additional information is received and the application is deemed complete, our review of the application will continue. Kittitas County Code Chapter 15A.03.040 states that an application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form. If you have any questions or need assistance, please contact my office at (509) 962-7637

Sincerely,

Dan Valoff
Staff Planner

Conditional Use Preliminary Submittal Requirements For:

CU-11-0004 Tomas

Date Received: November 30, 2011

Review Date: December 14, 2011

Map Number: 19-17-09010-0003, 19-17-09040-0003 Parcel Number: 347734, 19422

Planner: Jeff Watson Zoning: Agriculture 20

Fee Collected

Second Page of Application turned in (Contact Page)

8.5 X 11 Preliminary Plat Map

Parcel History (Required for Comm Ag & Ag 20 if < 20 Acres)

Subdivision conforms to the county comprehensive plan and all zoning regulations

Located within Fire District

Located within Irrigation District

School District

In UGA

Critical Areas

Yes No **Within a Shoreline of the State** Environment:

Yes No **Within a FIRM Floodplain** Panel #:

Yes No **Within a PHS Habitat** Habitat Type:

Yes No **Wetland in Parcel** Wetland Type:

Yes No **Seismic Rating** Category:

Yes No **Within Coal Mine Area**

Yes No **Hazardous Slope in Parcel** Category:

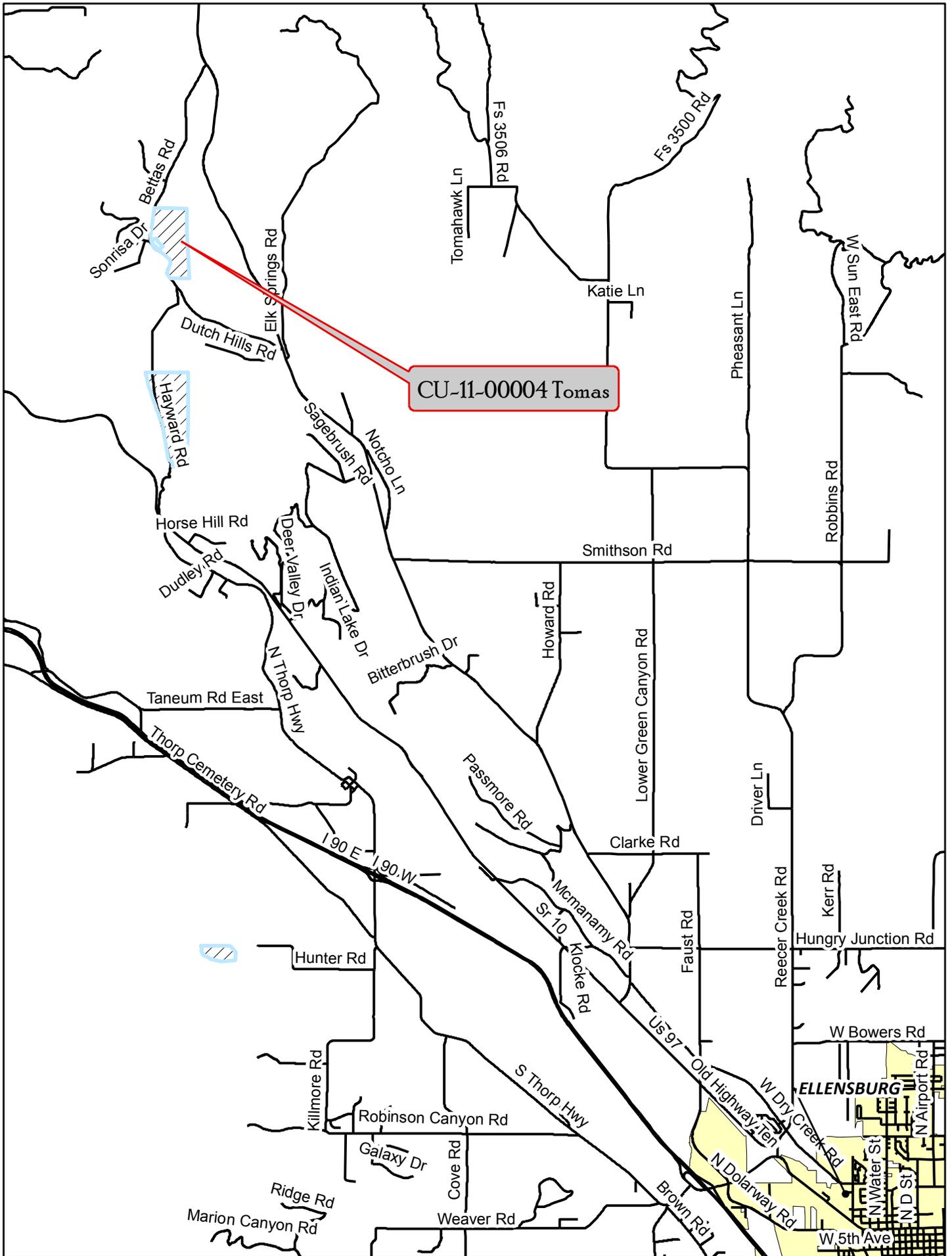
Yes No **Airport Zones within Parcel** Zone:

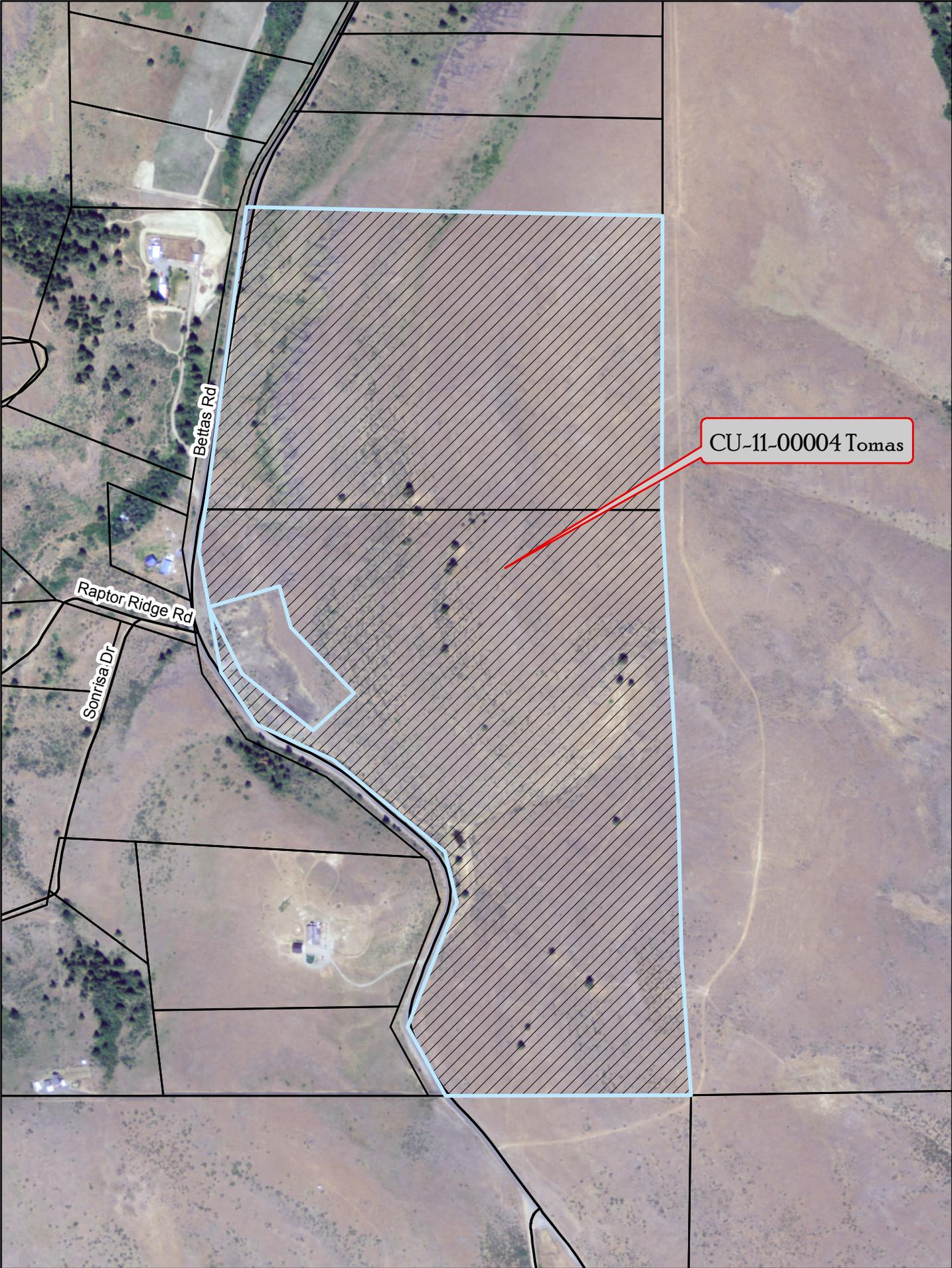
Yes No **Adjacent to Forest Service Road** Road:

Yes No **Adjacent to BPA Lines or Easement**

Yes No **Within 1000' of Mineral Land of LTS**

Yes No **Within Landslide Area**



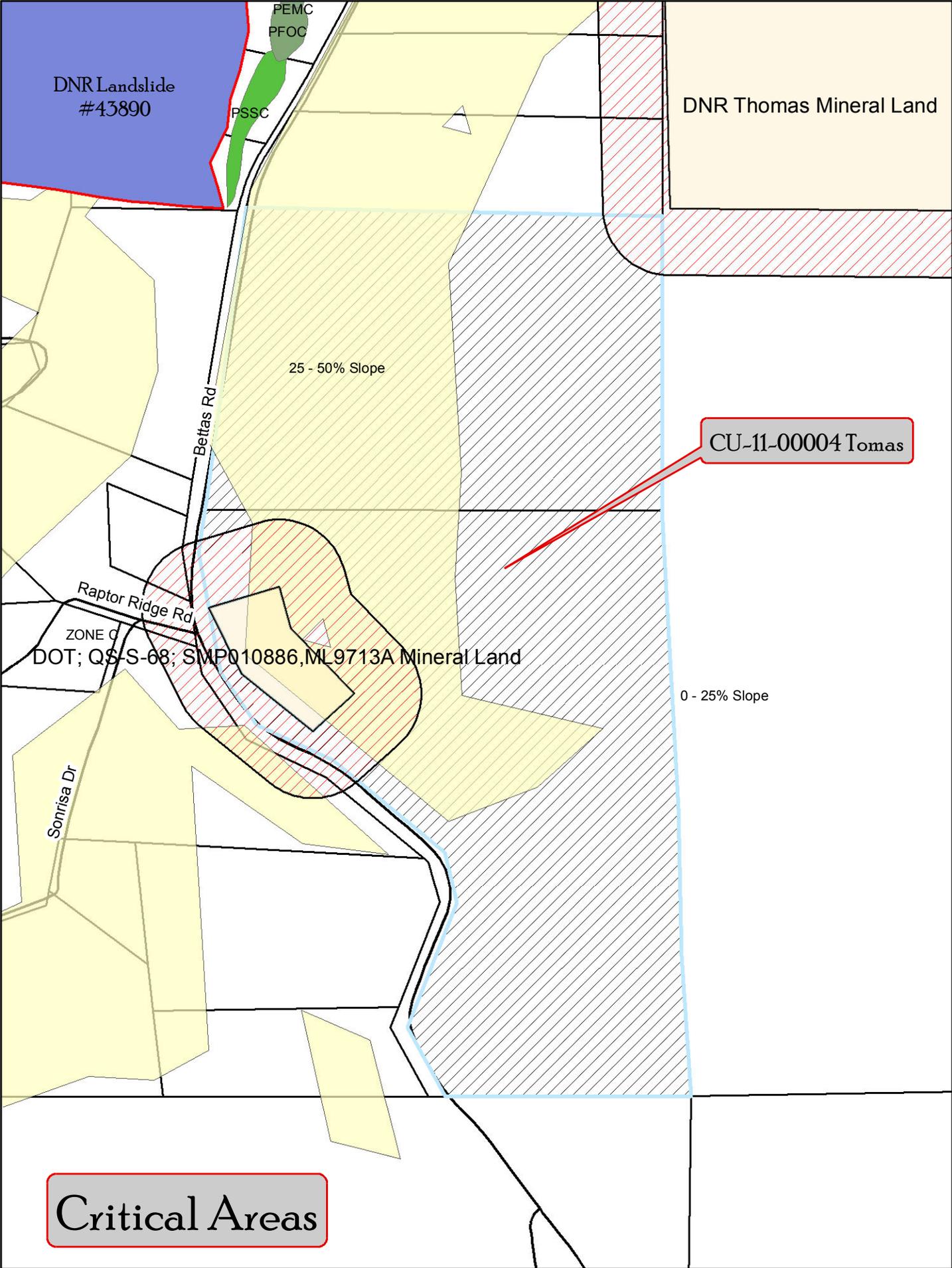


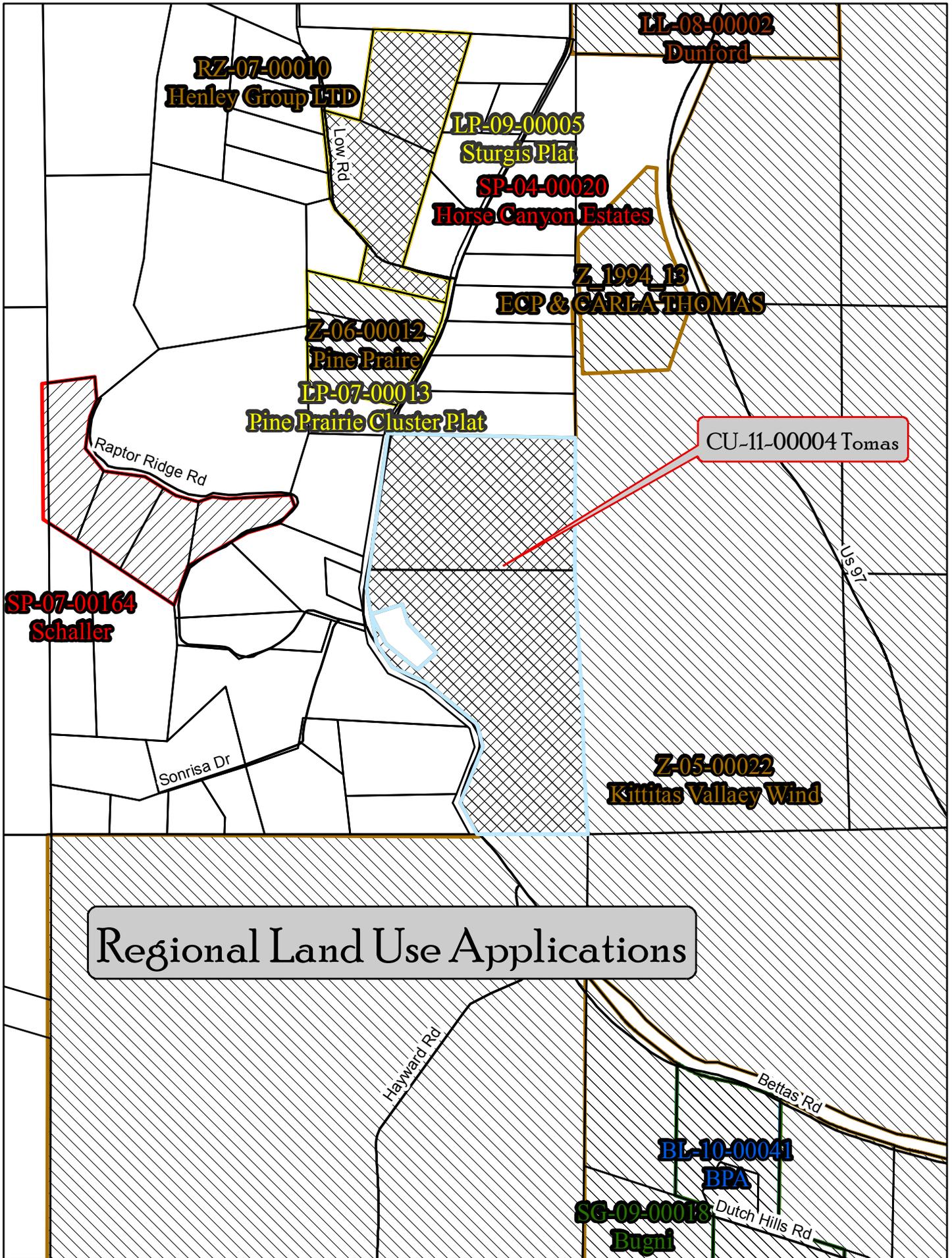
CU-11-00004 Tomas

Bettas Rd

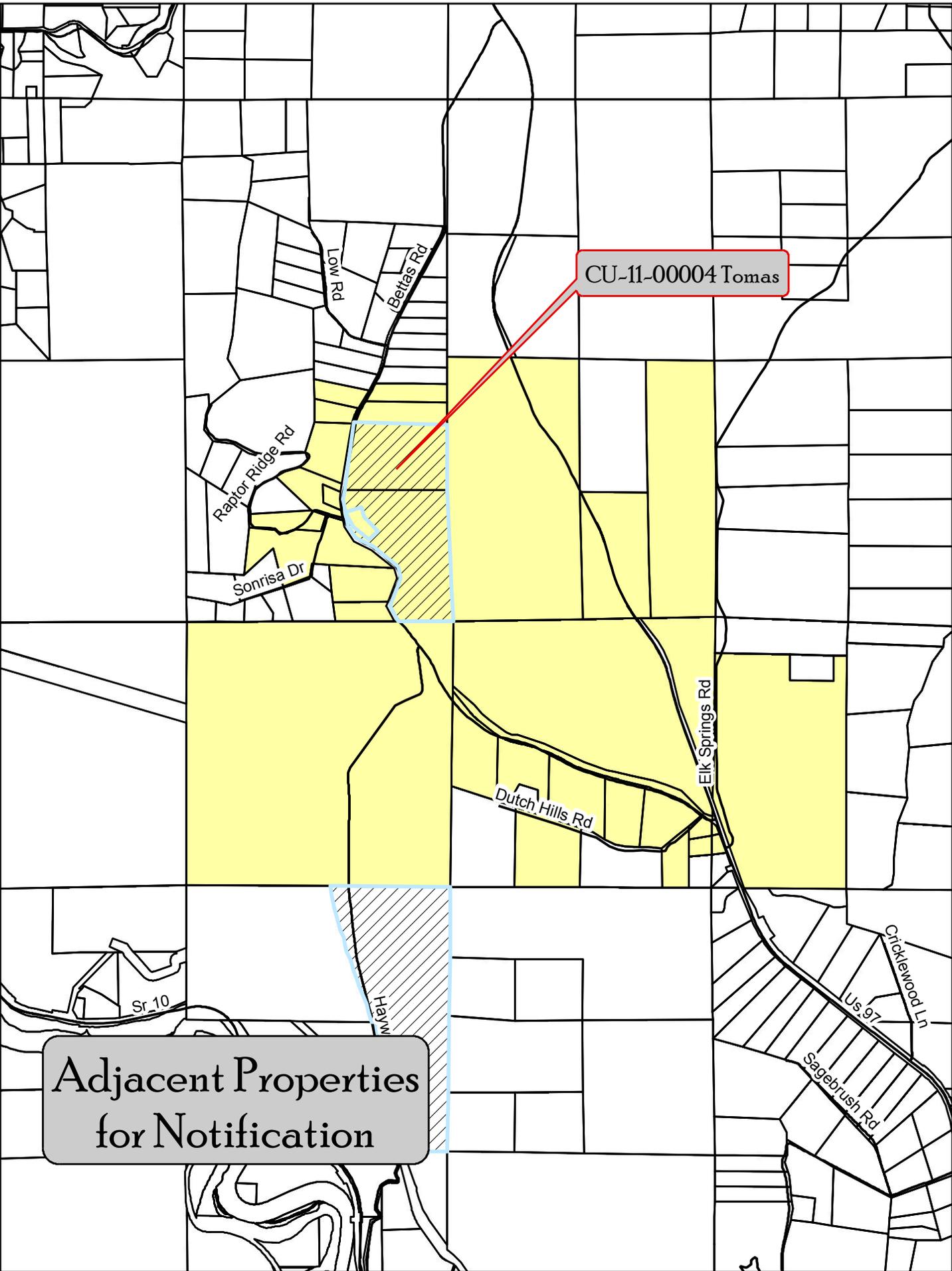
Raptor Ridge Rd

Somrisa Dr





Regional Land Use Applications



CU-11-00004 Tomas

Adjacent Properties
for Notification



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

CO-11-00004

ZONING CONDITIONAL USE PERMIT APPLICATION

(Proposing a use such as a Bed & Breakfast or Campground, per KCC 17.60A)

A **preapplication conference** is encouraged for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

REQUIRED ATTACHMENTS

- Site plan of the property with all proposed buildings points of access, roads, parking areas, septic tank, drainfield, drainfield replacement area, areas to be cut and/or filled, natural features such as contours, streams, gullies, cliffs, etc.
- SEPA Checklist (if not exempt per KCC 15.04 or WAC 197-11-800)
Please pick up a copy of the SEPA Checklist if required
- Project Narrative responding to Questions 9-11 on the following pages.

APPLICATION FEES:

1,565.00 Kittitas County Community Development Services (KCCDS)

418.00 Kittitas County Department of Public Works

329.00 Kittitas County Fire Marshal

\$2,312.00 Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature):

DATE:
11-30-11

RECEIPT #
13124

PAID

NOV 30 2011

KITTTITAS CO.
CDS

DATE STAMP IN BOX

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

FORM LAST REVISED: 1-12-2011

Page 1 of 3

GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:

Landowner(s) signature(s) required on application form.

Name: Carla Tomas
Mailing Address: 911 Robbins road
City/State/ZIP: Ellensburg Wa 98926
Day Time Phone: 509 962 8572
Email Address: _____

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Lenny Morrison
Mailing Address: p.o. Box 938
City/State/ZIP: Ellensburg Wa 98926
Day Time Phone: 509 933 7050
Email Address: lmorrison@ellensburgcement.com

3. Name, mailing address and day phone of other contact person

If different than land owner or authorized agent.

Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

4. Street address of property:

Address: Bettas rd
City/State/ZIP: _____

5. Legal description of property (attach additional sheets as necessary):

portion of sec 9 twp 19 rge 17 SE 1/4 E of County rd. and portion of sec 9 twp19 rge 17 S1/2 NE 1/4 E of county rd

6. Tax parcel number: 19-17-09040-0003 & 19-17-09010-003

7. Property size: 165 acres (Project size 65 acres) (acres)

8. Land Use Information:

Zoning: AG-20 Comp Plan Land Use Designation: Rural

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
10. **Provision of the zoning code applicable:** 17.29.030 Sand and Gravel Excavation.
11. **A conditional use permit may be granted when the following criteria are met. Please describe in detail how each criteria is met for this particular project (attach additional sheets as necessary):**
- A. The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.
 - B. The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that (1) it will be adequately serviced by existing facilities such as highways, roads, police and fire protection, irrigation and drainage structures, refuse disposal, water and sewers, and schools; or (2) that the applicant shall provide such facilities; or
 - C. Demonstrate that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.

AUTHORIZATION

12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

Date:

X _____

Signature of Land Owner of Record
(Required for application submittal):

Date:

X Carle Thomas

11-29-11

Horse Canyon Narrative

9. Project Description

The proposed site is 65 acres of ag-20 land that has been used for grazing land for cattle. This proposed land lies to the north east side of Bettas rd. This site borders and encircles Washington State Department of Transportation Quarry (QS-S-68) which is a Mineral Lands of Long Term Commercial Significance. Kittitas County Road Dept. at one time had a proposed 7 acre site that is part of this proposed site. This site will be terraced in some areas and other areas will be rubble slopes. Both practices are recognized reclamation practices set by Department of Natural Resources. It holds a wide range of materials from very large rip rap, wall rock and some very clean basalt rock. A porta potti and dumpster service will be contracted to a local sanitation companies. This site will be used for sorting, processing products, and loading.

11. A. Proposed use is essential or desirable: This site will generate revenue for the state and county and keep local people working. The proposed site is essential for the continued supply of premium quality Basalt. The material present at this sites will help supply both public and private sector making it desirous. By using this as an excavation site it will lessen the impact on the surrounding environment making it non detrimental to the public health. The site will be maintained and reclaimed using BMP's set forth by the DNR and the DOE, as the project advances to help with the character and environment of the surrounding neighborhood and vacant land. The site will operate in an as needed basis to keep the surrounding neighborhood a safe peaceful place to live.

11.B. The proposed use at this site will not be detrimental to the county. The site is serviced by Bettas rd. which is maintained by Kittitas County Public works. SR 97 intersects with Bettas rd at two intersections and is maintained by Washington Department of Transportation. Kittitas County Sheriffs office and Washington State Patrol, patrol the area. Fire protection to the site is minutes away. The site will be used periodically through out the years. No extra public services will be needed for the operation of this site.

11. C. The proposed use will be an economic benefit. The quality and situation of the site will benefit the economy of the county and the environment. Less site equipment, less processing, location, reclamation of the site, keeping local people employed to help drive local business and economy.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

CU-11-00004

SEPA ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST:

The State Environmental Protection Act (SEPA), chapter 43.21C RCW. Requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposals. Governmental agencies use this checklist to determine whether the environmental impacts or your proposal are significant, requiring preparation if an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "don not know" or "does not apply" Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS.

For non-project actions, the references in the checklist to the words "project," "applicant" and "property or site" should be read as "proposal," "proposer" and "affected geographic are" respectively.

APPLICATION FEES:

490.00 Kittitas County Community Development Services (KCCDS)

70.00 Kittitas County Department of Public Works

\$560.00 Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature):

DATE:

11-30-11

RECEIPT #

PAID
NOV 30 2011
KITTITAS CO.
CDS

DATE STAMP IN BOX

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT

FORM LAST REVISED: 4-21-11

Page 1 of 11

TO BE COMPLETED BY APPLICANT

FOR STAFF USE

A. BACKGROUND

1. Name of proposed project, if applicable:

Horse Canyon Quarry

2. Name of applicant:

Ellensburg Cement Products

3. Address and phone number of applicant and contact person:

P. O. Box 938, 509 933 7050 Lenny Morrison

4. Date checklist prepared:

October 26 2011

5. Agency requesting checklist:

Kittitas County Community Development Service

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

After approval, 40 years

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

Not at this time

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

Department of Ecology Sand and Gravel General permit, Air quality permit.

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

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

Department of Natural Resource reclamation permit
Department of Ecology General Sand and Gravel permit
Department of Ecology Air Quality Permit
Kittitas County Conditional Use Permit

11. Give 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. (Lead agencies may modify this form to include additional specific information on project description.)

This site will be used for Basalt rock, Rip Rap, Wall Rock, and other rock products.

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.

No Address at site. Map # 19-17-09040-0003, 19-17-09010-0003, Sec 9 twnp 19 rge 17 se1/4 and sec 9 twp 19 rge 17 s 1/2 ne 1/4

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)?
40% in areas

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 prime farmland.

Very thin clay type soil over Basalt.
USDA land type map shows this site as "Scab Land"

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

NO

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

None

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

Erosion is highly unlikely due to nature of the quarry and basalt.
BMP's will be used to ensure no erosion takes place

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

None

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

Stripped soils will be stockpiled in locations around the site and will be seeded with dryland grasses to prevent erosion

2. AIR

a. What types of emissions to the air would result from the proposal (i.e. dust, automobiles, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. _____

Minimal dust and exhaust from equipment while site is active.
b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. _____

c. Proposed measures to reduce or control emissions or other impacts to air, if any: _____
Dust control by water truck for activities on site when needed and when site is active. _____
BMP's for low emissions, all equipment in good working order, clean ultra low sulfur fuel used. _____

3. WATER

a. Surface
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 streams or river it flows into. _____

Yes, adjacent to the proposal the property owner has rights to a year round spring that feeds a small stock water pond.

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. _____

No

3) Estimate the 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. _____

None

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

No

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

No

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. _____

No

b. Ground
1) Will ground water be withdrawn, or will water be discharged to surface waters? If so, give general description, purpose, and approximate quantities if known. _____

No

2) Describe waste materials 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.

c. **None**
Water Runoff (including storm water):

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.

Type 1 Stormwater will be diverted from site. Type 2 and 3 Stormwater will be contained onsite

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

Any known "Waste Materials" will be cleaned up and disposed of following BMP's and Department of Ecology guidelines

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Industrial water be contained on site by sloping site to the high wall and detention ponds and channels, Type 1 stormwater will be diverted from site

4. PLANTS

a. Check or circle 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

wet soil plants: cattails, buttercup, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation: Sparse grasses and forbes

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

The thin grass layer will be removed when the overburden is stripped this will be managed in phases. The site has possibly five pine trees that may or may not be removed, depending on the excavation plan.

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

None known

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

None at this time

5. ANIMALS

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

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beavers, other:

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

- b. List any threatened or endangered species known to be on or near the site.
None known
- c. Is the site part of a migration route? If so, explain.
None known
- d. Proposed measures to preserve or enhance wildlife, if any.
Project will be terraced in places, and rock and rubble slopes in others for wildlife.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the competed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
None needed for Completed project
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, describe.
No
- 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.
None

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 as a result of this proposal? If so, describe.
No extraordinary hazards, possible small fuel spill, Blasting when necessary.
1) Describe special emergency services that might be required.
None needed
2) Proposed measures to reduce or control environmental health hazards, if any. Persons on site will be trained on spills and protocol given by Department of Ecology BMP's
- b. Noise
1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?
None
2) What types and levels of noise would be created by or associated with the project on a short-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Truck and heavy equipment, Back up alarms, Loading processed products
3) Proposed measures to reduce or control noise impacts, if any.
Strategically placed stockpiles to reflect noise

8. LAND AND SHORELINE USE
- a. What is the current use of the site and adjacent properties?
 Dryland grazing, Adjacent land is an existing Mineral Land of long Term Significance currently WSDOT QS-S-68, Vacant land, one home across from site.
- b. Has the site been used for agriculture? If so, describe.
 Grazing, Labeled " Scabland" on USDA soils map
- c. Describe any structures on the site.
 None
- d. Will any structures be demolished? If so, what?
 No
- e. What is the current zoning classification of the site?
 AG-20
- f. What is the current comprehensive plan designation of the site?
 Rural
- g. If applicable, what is the current shoreline master program designation of the site?
 None
- h. Has any part of the site been classified as an:
 environmentally sensitive area?
 None known
- i. Approximately how many people would the completed project displace?
 None
- j. Approximately how many people would reside or work in the completed project?
 None
- k. Proposed measures to avoid or reduce displacement impacts, if any.
 None
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.
 Project is compatible with Adjacent Mineral Land that has existing quarry site. Premium site for product
9. HOUSING
- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
 None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low-income housing.
 None
- c. Proposed measures to reduce or control housing impacts, if any.
 None
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?
 Scale house will be approximatly 15' tall, Some temporary Equipment may be 25' tall
- b. What views in the immediate vicinity would be altered or obstructed?
 Area of site will be steepened and terraced and in areas become a rubble slope down to the floor of the site.

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

Terracing, revegetating where possible

11. LIGHT AND GLARE

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

Temporary use of lights on site, Lights from Equipment on site when needed

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

No

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

None

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

Lights from temporary equipment will be pointed at site

12. RECREATION

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

Possibly hunting, surrounding properties are privately owned

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

No

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

None

13. HISTORIC AND CULTURAL PRESERVATION

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known

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

None

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
Bettas rd leads to site, Highway 97 intersects both ends of Bettas rd.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No
- c. How many parking spaces would the completed project have? How many would the project eliminate?
None
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
No
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
None on completion, Several trips per day during intermittent activity.
- g. Proposed measures to reduce or control transportation impacts, if any.
Truck traffic signs will be posted at either side of entrance

15. PUBLIC SERVICE

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
No
- b. Proposed measures to reduce or control direct impacts on public services, if any.
None

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse services, telephone, sanitary sewer, septic system, other.
None
- b. Describe the utilities that are proposed for the project, the utility

providing the services, and the general construction activities on the site or in the immediate vicinity which might be needed.

No utilities are proposed

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: _____

Date: _____

Print Name: _____

THE REMAINING QUESTIONS ARE EXCLUSIVELY FOR REZONE APPLICANTS AND FOR AMENDMENTS TO COUNTY COMPREHENSIVE PLAN AND CODE. UNLESS THESE APPLY TO YOU, THIS IS THE END OF THE SEPA CHECKLIST.

SEPA ENVIRONMENTAL CHECKLIST QUESTIONS FOR NON-PROJECT ACTIONS ONLY. WHEN ANSWERING THESE QUESTIONS, BE AWARE THE EXTENT OF THE PROPOSAL, OR THE TYPE OF ACTIVITIES LIKELY TO RESULT FROM THE PROPOSAL, WOULD AFFECT AN ITEM AT A GREATER INTENSITY OR AT A FASTER RATE THAN IF THE PROPOSAL WERE NOT IMPLEMENTED. RESPOND BRIEFLY AND IN GENERAL TERMS (ATTACH ADDITIONAL SHEETS AS NECESSARY)

FOR STAFF USE

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? Proposed measures to avoid or reduce such increases.

2. How would the proposal be likely to affect plants, animals, fish or marine life: Proposed measures to protect or conserve plants, animals, fish or marine life.

3. How would the proposal be likely to deplete energy or natural resources? Proposed measures to protect or conserve energy and natural resources.

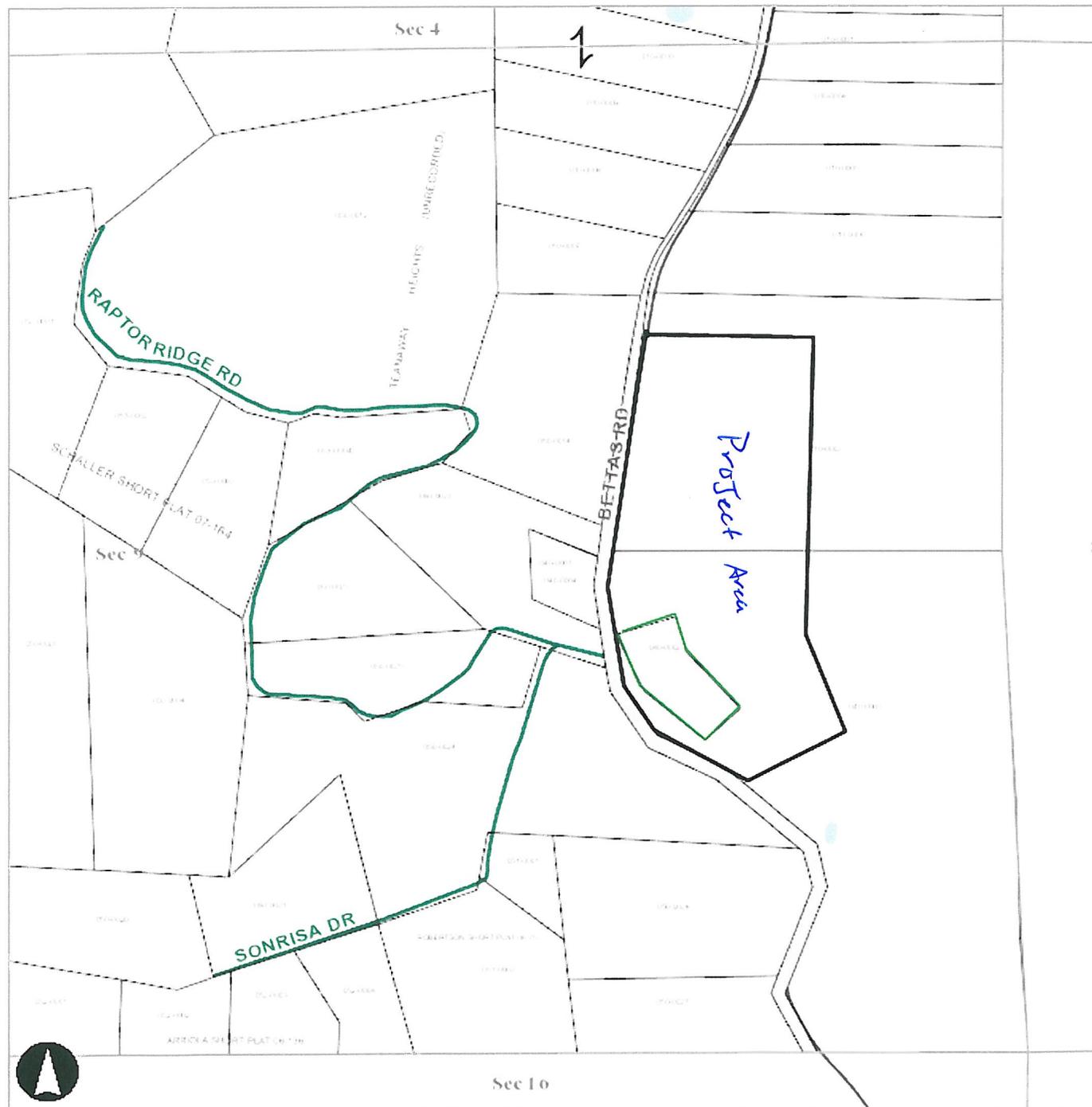
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? Proposed measures to protect such resources or to avoid or reduce impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses? Proposed measures to avoid or reduce shoreline and land use impact.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? Proposed measures to reduce or respond to such demand(s).

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

Enter title here



Map Center: Township:19 Range:17 Section:9

Kittitas County 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.

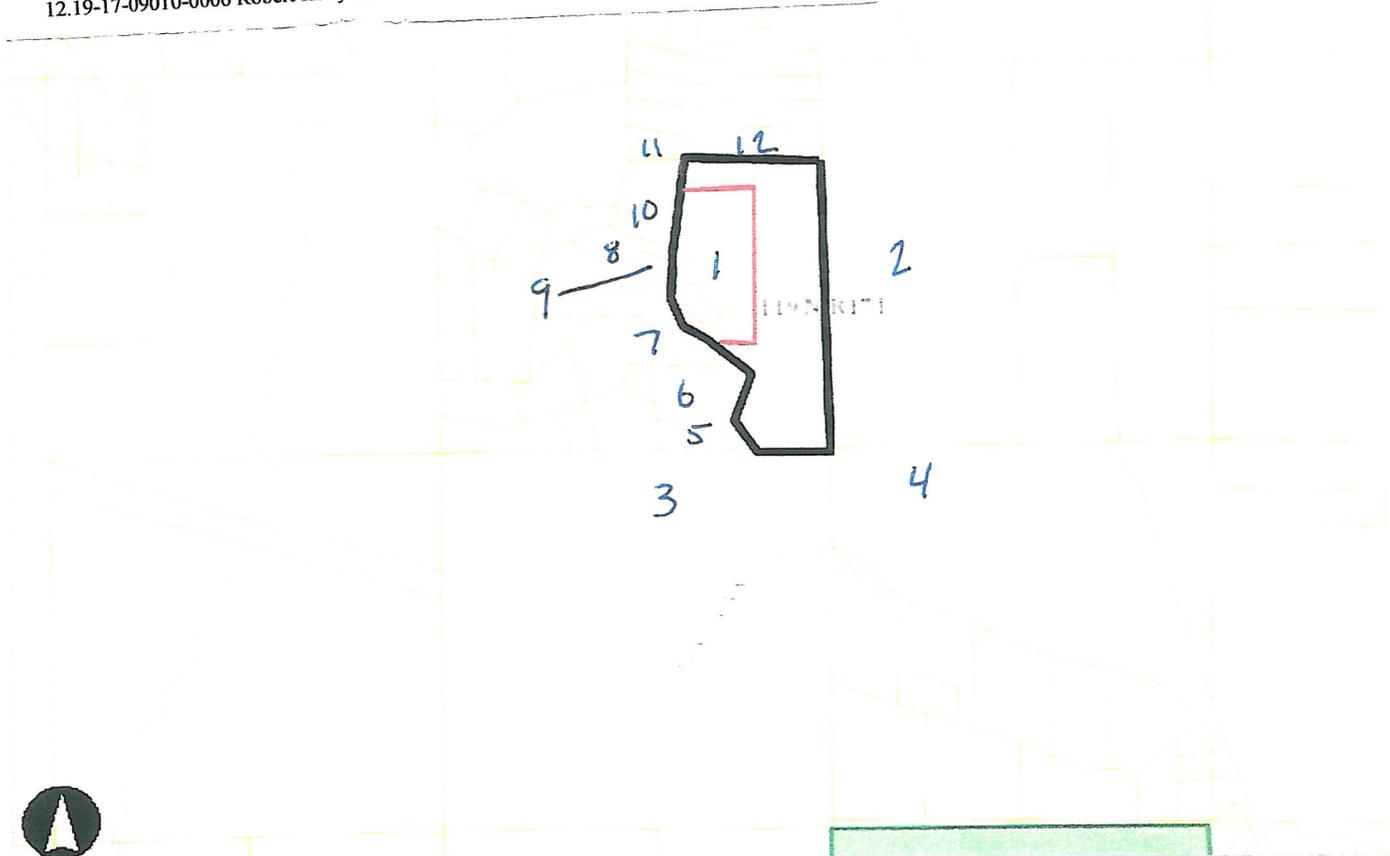


Horse Canyon Quarry

Horse Canyon Quarry

Adjacent Land Owner as of 11/22/2011

1. Project Boundary outlined in RED
2. 19-17-10000-0006 WA DNR 1111 Washington st. S.E. P.O. box 47016 Olympia 98504
3. 19-17-16000-0001 WA DNR
4. 19-17-15000-0001 Carla Thomas 911 Robbins rd. Ellensburg WA 98926
5. 19-17-09050-0027 Preston Bell 3911 Bettas Rd. Cle Elum Wa. 98922
6. 19-17-09050-0026 Wayne Bell 3911 Bettas Rd. Cle Elum WA 98922
7. 19-17-09050-0024 Martin L Rand, Robert Schaller 2009 166th PL NE Bellevue wa 98008
8. 19-17-09050-0022 Martin L Rand, Robert Schaller
9. 19-17-09040-0001 & 0004 Colvin Thomas 3201 Bettas rd. Cle Elum 98922
10. 19-17-09050-0014 Gregory Campbell/ Shannon Logan 4970 Airport Rd. Cle Elum 98922
11. 19-17-09010-0007 Charles Holtz 907 E. 72nd Dr S.E. Everett Wa 98205
12. 19-17-09010-0006 Robert Kelly 10305 15th Ave N.W. Seattle 98177



Map Center: Township:19 Range:17 Section:10

Kittitas County 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.



Bill & Barb Fitzgerald

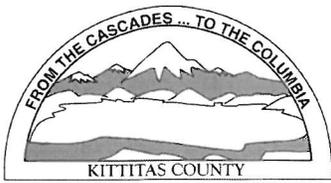
1791 Betas Rd

Clallam WA 98932

~~Bill~~

BILL AND BARB @ FAIRPOINT.

NET



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00013125

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

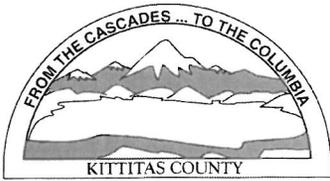
Account name: 021491

Date: 11/30/2011

Applicant: THOMAS, CARLA L.

Type: check # 33410

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
CU-11-00004	SEPA	560.00
	Total:	560.00



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00013125

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

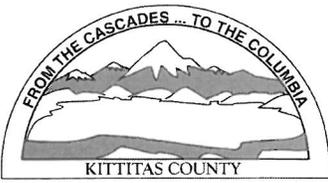
Account name: 021491

Date: 11/30/2011

Applicant: THOMAS, CARLA L.

Type: check # 33410

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
CU-11-00004	SEPA	560.00
	Total:	560.00



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00013124

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

Account name: 021491

Date: 11/30/2011

Applicant: THOMAS, CARLA L.

Type: check # 33408

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
CU-11-00004	CUP FEE	1,565.00
CU-11-00004	CUP FIRE MARSHAL FEE	329.00
CU-11-00004	PUBLIC WORKS CUP FEE	418.00
	Total:	2,312.00