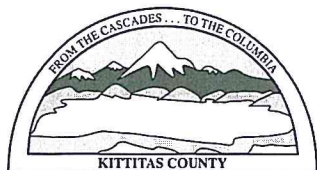


PROJECT NAME: **Canyon River Ranch CUP (CU-12-00002)**
- ADDENDUM -

Index # <small>*Numbers in lower right hand corner</small>	Document Name
	SEE INDEX FILE: Canyon River Ranch CUP (CU-12-00002) for documents indexed 1 to 18
19	Affidavit of SEPA Notice publishing from Daily Record – 4/17/13
20	Amended Hearing Examiner Agenda for 5/2/13
21	Email from J. Sharar to Andrew Kottkamp, Hearing Examiner with attachment – 5/1/13
22	Hearing Examiner Hearing 5/2/13 Cancellation & Rescheduling email and posting
23	Email from DOE C. Reed to CDS with attachment – 5/2/13
24	Email from DOE S. Park to CDS with attachment – 5/2/13
25	Fire Protection Contract
26	Hearing Examiner Hearing 5/23/13 Cancellation & Rescheduling email – 5/17/13
27	Email from S. Joyce to CDS with attachment response to WDFW & DOE comments – 6/5/13
28	Hearing Examiner Agenda for 6/13/13
29	Hearing Examiner Staff Report – updated – 6/13/13 (Hearing Date)
	SEE INDEX FILE: Canyon River Ranch CUP (CU-12-00002) for documents indexed 1 to 18



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"

STAFF REPORT

(updated from May 2, 2013 version)

Canyon River Ranch Conditional Use Permit, CU-12-00002

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Canyon River Ranch Conditional Use Permit (CU-12-00002)
DATE: June 13, 2013 (Hearing Date)

I. GENERAL INFORMATION

Requested Action: Mr. Steve Joyce, property owner, submitted a conditional use permit application for the improvement of an existing boat launch, guest lodge, and cabins by the construction of twelve (12) new cabin sites, garage structures, and an archery range placed upon the land zoned Forest and Range.

History of the Project: A conditional use request through application was submitted to the County in 2003 to build and improve an existing recreational project along the Yakima River. The proposed project was divided into two phases, the first which was considered at the 2003 hearing. In Phase I, the applicant proposed reconstructing the existing guest lodge, replacement of two existing cabins, rebuilding and remodel of a storage building, the manager's home and the fly shop apartment. Phase II was proposed for future application and included an additional 10 cabins and two casting ponds near the Yakima River, which would require a re-classification of the shoreline designation from "Natural" to "Rural" and a substantial development permit. The Board of Adjustment approved the conditional use permit for Phase I, CU-03-02 on July 9, 2003. The applicants, after discussing the application and water concerns for the project, determined to only concentrate on Phase I of the project that was approved until the Yakima shoreline was re-classified from a "Natural" designation to a "Rural" designation.

Kittitas County, in February, 2004, proposed shoreline re-designation on Yakima River at the proposed site. On March 31, 2006 Kittitas County received notice from Washington Department of Ecology that the re-designation had been approved.

An application for a Shoreline Substantial Development permit application (SSDP-06-03) was received by the County on October 9, 2006 to place a fly shop and deli, gravel parking area, septic system and cabin decks within 200 feet of the Ordinary High Water Mark of the Yakima River. The County Board of Adjustment heard and approved the proposal on October 10, 2007 at a public hearing. The Chair of the Board of Adjustment signed the permit on October 29, 2007, and the decision was approved on December 5, 2007 by the Department of Ecology. The approval of the Conditional Use Permit (CU-03-02) and the Substantial Development Shoreline permit (SSDP-06-03) allowed the development of the Canyon River Ranch recreational facility now existing upon the Yakima River, and which is being proposed for expansion through this current conditional use request.

Location: The project is located approximately at Milepost 15 on Canyon Road (Highway 821) lying easterly of the Yakima River in the SW ¼ of Section 28, T16N, R19E, W.M. in Kittitas County. Map number: 16-19-28050-0000.

II. SITE INFORMATION

Total Property Size: 12.2 acres
Number of Lots: 1; no new lots are being proposed
Domestic Water: Obtained from an existing Class A water system serving Canyon River Ranch
Sewage Disposal: Septic to be approved by Public Health
Power/Electricity: Puget Sound Energy
Fire Protection: Kittitas Valley Fire & Rescue

Site Characteristics:

North: Vacant, Public lands

South: Vacant, Public lands

East: Vacant, Public lands

West: Vacant, Public lands

Access: The site is accessed from SR 821(Canyon Road).

Zoning and Development Standards: The subject property is located within the Forest and Range zoning district. The purpose and intent of the Forest and Range zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. The Forest and Range zone allows for a vast array of permitted and conditional uses, and this project is being proposed under KCC 17.56.030(40), guest ranches, group homes, retreat centers.

Conditional Uses: This application is consistent with KCC 17.60A. Since this application was filed, the Board of Adjustment has been dissolved. Conditional use permits are now required to have a public hearing before the Hearing Examiner for a recommendation to the Board of County Commissioners. A public, closed record hearing is held upon recommendation before the Board of County Commissioners, where the BOCC makes the final decision on the conditional use permit.

III. ADMINISTRATIVE REVIEW

Notice of Application: A complete conditional use permit application was submitted to Community Development Services on June 22, 2012 and was found complete on July 12, 2012. The Notice of Application for the conditional use permit was issued on July 30, 2012. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 17, 2012. The following agencies provided comments during the comment period: WA Department of Ecology, WA Department of Transportation, WA Department of Fish and Wildlife, and Yakima Nation. Comments were also received from the Kittitas County Public Health Department and are incorporated within conditions of approval and the public record.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural. Kittitas County has established the following goals and policies to guide recreational outdoor activities. These goals and policies were developed in response to identified needs within the County, and support the County Wide Planning Policies:

Section 8.5 of the Comprehensive Plan states that numerous goals, policies and objectives have been established to "... provide for a variety of densities and uses, respect private property rights, provide for residences,

recreation, and economic development opportunities, support farming, forestry and mining activities, show concern for shorelines, critical areas, habitat, scenic areas, and open space while keeping with good governance and the wishes of the people of Kittitas County and to comply with the GMA and other planning mandates.” (pages 8-4 and 8-5)

The proposed project meets this intent and meets the following Goals Policies and Objectives:

GPO 8.9 Projects or developments which result in the significant conservation of rural lands or rural character will be encouraged. **The project, while creating development, will result in structures which are rural in character and will preserve that characteristic.**

GPO 8.11 Existing and traditional uses should be protected and supported while allowing as much as possible for diversity, progress, experimentation, development and choice in keeping with the retention of Rural Lands. **The proposed project is intended for recreational purposes which is traditional in the County, allows diversity in the open spaces, and will aid in the retention of Rural lands.**

GPO 8.43 To increase commercial, industrial, recreational and tourist opportunities, the County should consider the establishment of areas of more intensive rural development, according to RCW 36.70A.070(5)(d). **The proposed project is designed to create recreational and tourist opportunities with a more intense development of rural character.**

GPO 8.56 Private development of recreational opportunities should be encouraged through a predictable, uncomplicated permit process. **The proposal is a private, recreational opportunity which is permitted under the Conditional Use process.**

V. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Determination of Non-Significance (DNS) was issued on March 29, 2013. The appeal period ended on April 15, 2013 at 5:00 p.m. No appeals were filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments have been included as Exhibits in the Hearing Examiner packet.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

Consistency with the provisions of KCC 17A, Critical Areas:

Staff has conducted an administrative critical area review in accordance with KCC 17A and found that the proposal is located along a shoreline of the state with a natural shoreline designation, a portion of the site is within the 100 year floodplain, and two wetlands were found on the site: PSS1C and R3UBH. As conditioned, this proposal is consistent with KCC 17A.

Consistency with the provision of KCC 17.56, Forest and Range zone:

This proposal is consistent with the Kittitas County Zoning Code 17.56. Specifically this proposal is compatible with KCC 17.56.030(40), guest ranches, group homes, retreat centers.

Consistency with the provisions of KCC 17.60A, Conditional Uses:

This proposal is consistent with the Kittitas County Zoning Code for Conditional Uses. The proposed conditional use will be adequately served by rural levels of service. As conditioned, staff finds the proposal is 1) desirable to public convenience, 2) will not be detrimental to public health, safety or welfare, 3) is not economically detrimental to the public, and 4) is adequately serviced by required facilities.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

The proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agencies provided comments during the comment period: WA Department of Ecology, WA Department of Transportation, WA Department of Fish and Wildlife, and Yakima Nation. Comments were also received from the Kittitas County Public Health Department. Comments are provided as recommended conditions of approval for the project.

Public Comments:

No public comments have been received regarding the project.

VIII. RECOMMENDATION

As conditioned below, staff finds that the application is not detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 17.56, Title 17.60A, & Title 17A of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends approval of the Canyon River Ranch expansion Conditional Use Permit application, subject to the following findings of fact and conditions:

Staff Findings of Fact

1. Mr. Steve Joyce, property owner, submitted a conditional use permit application for the expansion of an existing recreational facility in the Forest and Range zone. The existing facility resulted from approval of a conditional use permit (CU-03-02) on July 9, 2003, and approval of a Shoreline Substantial Development permit (SSDP-06-03) on October 9, 2007.
2. The project is located approximately at Milepost 15 on Canyon Road (Highway 821) lying easterly of the Yakima River in the SW ¼ of Section 28, T16N, R19E, W.M. in Kittitas County. Map number: 16-19-28050-0000.
3. Site Information:

Total Property Size:	12.2 acres
Number of Lots:	1; no new lots are being proposed
Domestic Water:	Obtained from an existing Class A water system serving Canyon River Ranch
Sewage Disposal:	Septic to be approved by Public Health
Power/Electricity:	Puget Sound Energy
Fire Protection:	Kittitas Valley Fire and Rescue

4. Site Characteristics:

North: Vacant, Public lands

South: Vacant, Public lands

East: Vacant, Public lands

West: Vacant, Public lands

5. Site Characteristics: The area is easterly of the Yakima River and is primarily covered in brush, trees and bare land. Project buildings are proposed more than 200 feet easterly of the River's Ordinary High Water Mark (OHWM).
6. The Comprehensive Plan designation is "Rural."
7. The subject property is zoned "Forest and Range," which allows for the proposed project as a conditional use.
8. A complete conditional use permit application was submitted to Community Development Services on June 22, 2013. The Notice of Application for the conditional use permit was issued on July 30, 2012. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on August 17, 2012.
9. Based upon review of the submitted application materials including an environmental checklist, correspondence received during this 15 day comment period and other information on file with Community Development Services, a Determination of Non-Significance (DNS) was issued on March 29, 2013. The appeal period ended on April 15, 2013 at 5:00 p.m. No appeals were filed.
10. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.
11. Staff has conducted an administrative critical area review in accordance with KCC 17A and found that the proposal is located along a shoreline of the state with a "Rural" shoreline designation, a portion of the site is within the 100 year floodplain, and two wetlands were found on the site: PSS1C and R3UBH. As conditioned this proposal is consistent with KCC 17A.
12. This proposal is consistent with the Kittitas County Zoning Code 17.56. Specifically this proposal is compatible with KCC 17.56.030(40), guest ranches, group homes, retreat centers.
13. This proposal is consistent with the Kittitas County Zoning Code for Conditional Uses. The proposed conditional use will be adequately served by rural levels of service. As conditioned, staff finds the proposal is 1) desirable to public convenience, 2) will not be detrimental to public health, safety or welfare, 3) is not economically detrimental to the public, and 4) is adequately serviced by public facilities.
14. All roads are required to meet all Kittitas County Road Standards if applicable.
15. As requested in the Yakima Nation comment letter dated July 31, 2012, the applicant did submit a Cultural Resources Study in November 2012 prepared by Fennelle Miller of Fennelle deforest Miller Consultants. The conclusion of this report is that the project will not impact any archaeological resources.
16. The proposed project is adjacent to State Highway 821, a Class 3 managed access facility with a posted speed limit of 45 miles per hour. DOT has determined that it is acceptable for the proponent to continue to use the approach at milepost 14.78 during construction provided

additional crushed surfacing top course is placed along the shoulder to prevent any further deterioration of the asphalt pavement.

17. The proposed project is located along the Yakima River. The applicant has not supplied a larger scaled drawing documenting the ordinary high water mark (OHWM) in relationship to the planned building and grading areas.
18. Per DOE, the National Wetland Inventory Map shows a significant emergent wetland on both sides of the side channel in the phase 2 area. There is also a historic side channel to the east of the wetland which extends to the south into phase 1.
19. The following agencies provided comments during the comment period: WA Department of Ecology, WA Department of Transportation, WA Department of Fish and Wildlife, and Yakima Nation. Comments were also received from Kittitas County Public Health Department. These comments have been included as conditions of approval to address these agency concerns.
15. No public comments were submitted for this proposal at the time of staff review.

Staff Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

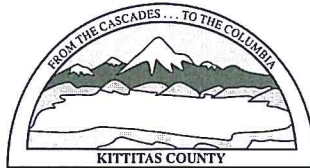
Recommended Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file dated June 22, 2012.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. All current and future landowners must comply with the International Fire Code.
4. A burn permit must be obtained from Ecology if the proponent plans to burn trees or debris from the property. Only natural, unprocessed vegetation may be burned in an outdoor fire.
5. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precaution be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonable with the use and enjoyment of property, causing health impacts, or damaging property or business.
6. An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is

required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

7. This NPDES Construction Stormwater General Permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.
8. All development, design and construction shall comply with all Kittitas County Codes Zoning and the International Fire and Building Codes.
9. The applicant shall immediately contact the Washington State Department of Archaeology & Historic Preservation, and the Yakama Nation if any items of possible cultural or historic significance are encountered during construction activities. Work shall be immediately halted with the area and a large enough perimeter established in order to maintain the integrity of the site.
10. Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby properties.
11. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby properties.
12. Additional connections to the Canyon River Ranch Group A Transient Non-community water system (ID #72990U) must be approved by the Washington State Department of Health. Future expansion of the Canyon River Ranch Upper Group B water system (ID #AB832E) needs to be approved by the Kittitas County Public Health Department. The applicant must notify the Department to record the water intended for use by the project.
13. For sewage flows less than 3500 gallons per day, an onsite sewage septic permit or permits are required from the Kittitas County Public Health Department. For sewage flows greater than or equal to 3500 gallons per day, the permitting authority is either Washington State Department of Health or Department of Ecology, depending on flow quantities.
14. The applicant shall maintain regular garbage collection service and proper storage of solid waste generated on the site. Solid waste generated must be stored off of the ground, and covered to prevent exposure to the elements and animals to prevent the harboring of insects and vectors.
15. All mailboxes will be located outside WSDOT rights-of-way.
16. Any outdoor advertising or motorist signage for this project will need to comply with State criteria. Any proposed lighting will be directed down towards the site, and away from SR 821.
17. Stormwater and surface runoff generated by this project must be retained and treated on site and not allowed to flow onto State rights-of-way.
18. The proponent will provide additional crushed surfacing top course along the shoulder to prevent any further deterioration of the asphalt pavement. The proponent will contact WSDOT Maintenance Supervisor to coordinate removal of the approach.

19. Because the request for the expansion of the development does not include any work within the shoreline regulated by the Shoreline Master Program, all development proposed will be shown on scaled 1" = 50' final site plan documenting the Ordinary High Water Mark (OHWM) along the Yakima River in relation to planned building and grading areas and existing and proposed utilities. Floodways and associated wetlands are considered part of that shoreline area, and any indication of floodways or wetlands upon the property as determined by the Department of Ecology, and which are associated with the Yakima River will require floodway assessment and/or wetland analysis prior to any construction on the site.



KITTITAS COUNTY HEARING EXAMINER
Andrew L. Kottkamp, Hearing Examiner

AGENDA

THURSDAY, June 13, 2013 @ 6:00PM

KITTITAS COUNTY COURTHOUSE, COMMISSIONERS' AUDITORIUM ROOM 109
205 WEST 5TH AVENUE, ELLENSBURG, WA 98926

Procedure for Participation – Please Sign in Legibly – When Recognized:

- State your name, address and whether you are representing only yourself or others. All remarks/comments should be addressed to the Hearing Examiner and not to the audience. Questions should be addressed to the Hearing Examiner.
- Please limit Applicant Presentation to fifteen (15) minutes; Public Testimony to three (3) minutes.
- Submit all written comments or other media to the Hearing Examiner as an exhibit for the permanent record.

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

III. OLD BUSINESS - None

IV. NEW BUSINESS –

a. Canyon River Ranch Conditional Use Permit (CU-12-00002)

Application is for a Conditional Use Permit for the development and operation of a “guest ranch” 200 feet from the Ordinary High Water Mark of the Yakima River in the County’s Forest and Range zone on approximately 12 acres. The existing site and proposed expansion is located at approximately milepost 15 on SR 821 (Canyon Road), in a portion of Section 28, T16N, R19E, W.M. in Kittitas County. Assessor’s map number: 16-19-28050-0000.

V. OTHER BUSINESS – None

VI. ADJOURN

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Wednesday, June 05, 2013 3:20 PM
To: 'Steve Joyce'
Cc: anthonyrobins@msn.com; Richard Leider
Subject: RE: CRR CUP response

Steve,

We have received your letter and it will be included as part of the record for the hearing examiner.

Lindsey Ozbolt
Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Steve Joyce [mailto:sjoyce63@yahoo.com]
Sent: Wednesday, June 05, 2013 2:44 PM
To: Lindsey Ozbolt
Cc: anthonyrobins@msn.com; Richard Leider
Subject: CRR CUP response

Lindsay,

Attached is a response letter for the Review Examiner. Please confirm receipt. We will be in attendance at the hearing on the 13th at 6 pm.

Thank you for all your help!

Sincerely,
Steve Joyce



From: Canyon River Ranch

14694 HWY 821

Ellensburg WA 98926

To: Kittitas County Community Development Services

411 N. Ruby St.

Suite 2

Ellensburg WA 98926

For: Kittitas County Hearing Examiner

From: Canyon River Ranch (CU-12-00002)

Date: June 13 (Hearing Date)

June 5, 2013

Dear Sir:

We have submitted our Conditional Use Application for the Phase 2 development at Canyon River Ranch consisting of cabin sites and the identified infrastructure to support the cabins. Comments for this application were received from the WDFW and the DOE. I would like to take this opportunity to respond to these comments prior to the review hearing.

First off, the WDFW has expressed concern regarding side channel habitat and riparian habitat relative to the development. To confirm, the proposed development for Phase 2 lies outside of the 200' shorelines setback. We fully understand that any development within the shorelines area would require a redesignation through Ecology. Additionally, the property for this Phase 2 development was procured from, and in cooperation with WDFW. This acquisition was part of a 3 way land swap, which created public access property, conserved wetlands, and perfected in holdings for the WDFW. During this exchange process, we met onsite with WDFW and DOE staff to construct a satisfactory exchange agreement, which was then approved through all of the necessary avenues in Olympia.

The DOE has brought up concerns related to setbacks and water use. Again, we reiterate that all of the Phase 2 development will lie outside of the 200' shorelines setback. As for water use, we have an existing Group A water system and a Group B well on the property. Once we receive our conditional approval from the county to build more cabins, we will work within County and State guidelines to optimize the site plan to best accommodate water use, septic and reserve locations, and balance with the number of cabins. While we have listed 12 cabins as the target number because that was a number we'd identified in the initial planning process years ago, we may build less to maintain aesthetics and/ or comply with agency requirements.

While the responses outlined above relate to the specific inquiries made by the respective agencies, it should also be considered that a significant amount of the identified property has been in continual use for many years including housing buildings, septic, and infrastructure that was tied into the Canyon River Ranch Phase 1 property.

Thank You for your consideration.

Sincerely,

Steve C Joyce

Canyon River Ranch

Lindsey Ozbolt

From: Steph Mifflin
Sent: Friday, May 17, 2013 4:29 PM
To: Allison Kimball; Andy Kottkamp; Anne Watanabe; Bonnie Reay; Brian Carter; Catherine Clerf; Chad Bala; Christina Wollman; Cruse & Associates; Dan Valoff; Dave Nelson; dblandchard; Del Knudson; Doc Hansen; Jan Ollivier; Jan Sharar; Jeff Slothower; Jeff Watson; Joanna Markell; Julie Kjorsvik; Justin Weis; Ken Huff; Lindsey Ozbolt; Lyn Derrick; Mandy Robinson; Mandy Weed; Mark Kirkpatrick; Melinda Bates; Mike and Karen Hoban; Mike Johnston; Nathan Weis; tribune@nkctribune.com; Paula Thompson; psk; Robert Kuhlken; Roger Olsen; Sean Northrop; Steve Lathrop; Steve Olson; Sylvia; Vernon Swesey
Subject: Hearing Examiner Cancelled

Hi All-

The Hearing Examiner meeting scheduled for May 23rd has been cancelled. Reschedule dates are as follows:

- Canyon River Ranch (CU-12-00002) scheduled for June 13, 2013 at 6:00 pm
- Cascade Field & Stream (CU-11-00003) SEPA Appeal scheduled for July 11, 2013 at 6:00 pm

Happy Friday ☺

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

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: 38eb45916c6dcdbdac24bb8719d004a14

CANYON RIVER RANCH, LLC
Canyon Rd – SR 821
(PO Box 186 Ellensburg, WA 98926)

FIRE PROTECTION CONTRACT

This agreement is made between Canyon River Ranch, LLC (Canyon River) and Kittitas County Fire Protection District 2 (District).

WHEREAS, the District is organized and equipped to provide fire protection services within and in the vicinity of its boundaries, and Canyon River desires that the District provide such services to its property located on State Route 821, NOW THEREFORE,

1. Beginning on the date of approval by both parties hereto, the District shall provide fire protection services to the property described below:

The South Half (S ½) of the Southwest Quarter (SW ¼), Section 28, Township 16 North, Range 19 East W.M., Kittitas County, Washington.

EXCEPT easement granted by the Highway Service Corporation of the State of Washington, dated July 21, 1931, filed for record September 5, 1931, and recorded in Book 49 of Deeds, page 540, granting a right-of-way over a strip of land 100 feet wide, being 50 feet on each side of center line of said road as surveyed over and across said premises;

EXCEPT a right-of-way 400 feet in width reserved by the Northern Pacific Railway Company over and across a portion of the above-described premises;

EXCEPT the North 200 feet thereof.

TOGETHER WITH all water rights and irrigation ditches appurtenant thereto.

TOGETHER WITH a 1993 28x56 mobile home; Manufacturer: Valley Manufacturing Country Cottage, Serial No. VHM12806W20651A/B.

TOGETHER WITH 1975 Ponderosa mobile home, Serial No. S6187.

Subject to restrictions, reservations, easements and rights of way apparent or of record.

2. In consideration for receiving fire protection services, Canyon River shall pay to the District an amount equal to \$1.50 for each \$1,000.00 of assessed value as determined by the Kittitas County Assessor. The payment will be based on the latest assessed value and will be paid no later than 60 days after property tax statements have been sent out.

3. This agreement shall be for an indefinite period. Either Canyon River or the District may cancel this contract upon giving written notice of intent to cancel one year in advance.
4. This agreement is made pursuant to RCW 39.34.080. Canyon River and the District shall perform all services and carry out all responsibilities under the terms of this agreement as independent agencies and neither shall by virtue of this agreement be considered an agent or an agency of the other.
5. The District and Canyon River shall indemnify and hold each other harmless from any loss, and from any cause of action, suits at law or equity or claims or damages or for any liability of any nature due to the actions of the other arising from the operation of this contract.
6. It is mutually understood and agreed that no alteration or variation of the terms of this agreement shall be valid unless made in writing and signed by the parties.
7. Canyon River acknowledges that, due to the location of the protected occupancy, the District may not be able to provide a level of service consistent with that provided to District residents. The level of service most likely to be affected will be response time although the District will respond to calls for service as dispatched with appropriate apparatus and staffing.

**KITTITAS COUNTY FIRE
PROTECTION DISTRICT 2**

By: 
(Commissioner)


Date: 11-28-06

By: 
(Commissioner)

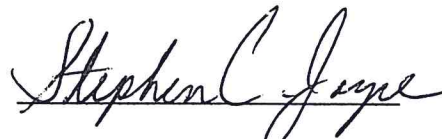
Date: 11-28-06

By: 
(Commissioner)

Date: 11-28-06

Attest to:

District Secretary

CANYON RIVER RANCH, LLC

By: 

Date: 11/4/06

By: _____

Date: _____

Lindsey Ozbolt

From: Park, Sage (ECY) [SUEB461@ECY.WA.GOV]
Sent: Friday, May 03, 2013 12:48 PM
To: Lindsey Ozbolt
Subject: RE: Canyon River Ranch Comment letter

Thank you for letting me know.

From: Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]
Sent: Thursday, May 02, 2013 12:37 PM
To: Park, Sage (ECY)
Subject: RE: Canyon River Ranch Comment letter

Hi Sage.

I wanted to let you know that the hearing for Canyon River Ranch has now been postponed until May 23, 2013.

Thanks,

Lindsey Ozbolt
Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Park, Sage (ECY) [mailto:SUEB461@ECY.WA.GOV]
Sent: Tuesday, April 30, 2013 3:58 PM
To: Lindsey Ozbolt
Subject: Canyon River Ranch Comment letter

Hi Lindsey,

I've attached Ecology's letter to the Hearing Examiner regarding Canyon River Ranch's expansion. Please let me know if you have any questions,
Sage

Sage Park
Permitting Unit Supervisor
Water Resources Program
Washington State Department of Ecology
Central Regional Office
15 W. Yakima Ave, Suite 200 | Yakima, WA 98902
phone (509) 454-7647 | fax (509) 575-2809

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 29, 2013

Andrew Kottkamp, Hearing Examiner
Kittitas County
411 N Ruby St, Ste 2
Ellensburg, WA 98926

RECEIVED

APR 30 2013

KITTITAS COUNTY
CDS

RE: CU-12-00002 Canyon River Ranch

Dear Mr. Kottkamp:

Thank you for the opportunity to comment on CU-12-00002, Canyon River Ranch. After reviewing the file, Washington State Department of Ecology (Ecology) is concerned that the applicant has not accounted for an adequate water supply for the expansion.

Kittitas County Code 17.60A.010(2(1) states that, "The Board of Adjustment shall determine that 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."

It does not appear this project will be adequately serviced by existing facilities for water because Canyon River Ranch does not have a legal water right to support the additional facilities. Any ground water development proposal that will withdraw water in excess of 5,000 gallons per day (gpd) for single or group domestic supply, or for industrial purpose, or for the irrigation of more than a ½ acre of lawn or non commercial garden requires a permit from the Department of Ecology.

The application materials did not provide documentation on the current or projected water use for the facility. Our experience has shown that similar facilities generally require more than 5,000 gpd for daily operation.

Canyon River Ranch is located within the Yakima River Basin. In September 2011, the United States Geological Survey (USGS) released its final report on the 12-year Yakima Basin Groundwater Study.¹ The USGS study confirms that groundwater and surface water are directly connected. It also demonstrates that withdrawing groundwater in the basin reduces streamflows. Any new consumptive water uses add to the existing water deficit in the basin.

¹ To view the Yakima Basin Groundwater Study visit <http://pubs.usgs.gov/sir/2011/5155/>.

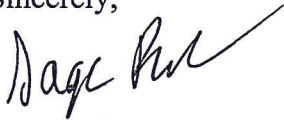
Ecology requests that the CU-12-00002 be permitted with the following conditions on the water use:

1. The applicant shall demonstrate that the water use does not exceed 5,000 gallons per day.
2. If water use does exceed 5,000 gallons per day, the applicant shall secure a mitigated permit from the Washington State Department of Ecology to offset groundwater use.

If these conditions are not acceptable then Ecology recommends denial of CU-12-00002.

If you have any questions related to these comments, please feel free to contact me at 509-454-7647, sage.park@ecy.wa.gov.

Sincerely,



Sage Park
Operations and Permitting Unit Supervisor
Water Resources Program/CRO

SP:ss/130420

Lindsey Ozbolt

From: Reed, Catherine D. (ECY) [CRAJ461@ECY.WA.GOV]
Sent: Thursday, May 02, 2013 12:43 PM
To: Lindsey Ozbolt
Cc: Clear, Gwen (ECY); Dunbar, Mark (ECY); Graff, Gary (ECY)
Subject: RE: CU-12-00002 Canyon River Notice of SEPA Action and Public Hearing

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for the information – especially about the new hearing date.

*Catherine Reed, PWS
Washington State Dept. of Ecology
15 West Yakima Avenue, Suite 200
Yakima, WA 98902
(509) 575-2616
craj461@ecy.wa.gov*

From: Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]
Sent: Thursday, May 02, 2013 12:34 PM
To: Reed, Catherine D. (ECY)
Subject: RE: CU-12-00002 Canyon River Notice of SEPA Action and Public Hearing

Hello Catherine,

Your attached copy of the letter dated August 17, 2012 is part of the record. Your email and the copy of the letter will also become part of our record for the CU-12-00002.

I wanted to let you know that we have postponed the hearing for this until May 23, 2013.

Thank you and let me know if you have any questions.

Lindsey Ozbolt
Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Jeff Watson
Sent: Thursday, May 02, 2013 8:02 AM
To: Doc Hansen; Lindsey Ozbolt
Subject: FW: CU-12-00002 Canyon River Notice of SEPA Action and Public Hearing
Importance: High

Jeffrey A. Watson
Planner II

Kittitas County Public Works/Community Development Services
411 North Ruby
Ellensburg WA 98926
jeff.watson@co.kittitas.wa.us
509-933-8274

From: Reed, Catherine D. (ECY) [<mailto:CRAJ461@ECY.WA.GOV>]
Sent: Wednesday, May 01, 2013 4:10 PM
To: Jeff Watson
Cc: Graff, Gary (ECY)
Subject: FW: CU-12-00002 Canyon River Notice of SEPA Action and Public Hearing
Importance: High

I am forwarding the August 17, 2012 comment letter (which contains Ecology SEA Program concerns) that Ecology sent to the County last year regarding this action that is up for hearing tomorrow on May 2. I assume that this letter is already in the hearing examiner packet that you are preparing. However, because the letter was originally addressed to Dan Valoff, I wanted to make sure that it had not been inadvertently lost in the shuffle that can happen during a personnel change. Please let me know if you have any questions about the comments. If you have questions regarding these comments, I would be willing to attend the hearing tomorrow evening to provide clarity.

Catherine Reed, PWS
Washington State Dept. of Ecology
15 West Yakima Avenue, Suite 200
Yakima, WA 98902
(509) 575-2616
craj461@ecy.wa.gov

From: Clear, Gwen (ECY)
Sent: Monday, April 29, 2013 12:45 PM
To: Reed, Catherine D. (ECY)
Subject: Canyon River Ranch

Documents for Canyon River Ranch

Gwen

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message id: 38eb45916c6dcdbdac24bb8719d004a14



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 17, 2012

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

Re: CU-12-00002

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Canyon River Ranch guest ranch. We have reviewed the documents and have the following comments.

Shorelands/Environmental Assistance

Property to the north is still designated as a Natural Shoreline Environment. The proposal is to build 12 new cabin sites and one storage building – the applicant says they want to extend the use into the property to the north. While this might be possible under zoning regulations, if the development will extend into shoreline areas, the shoreline designation of the parcel to the north would be “Natural” and as such, only very passive recreational activities (no roads or buildings or large tree removal, but “shelters” are allowed) would be permissible. (Kittitas County Shoreline Master Plan, Section 32 (4)). The parcel shape is different in some of the pages of the application than what is shown on our GIS system. Was there a lot line adjustment or was just a portion of the northern property purchased? The Shoreline Master Plan re-designation for this parcel would only apply to the parcel as it existed at the time of the filing. It is unclear in the submitted documents.

The location of the Ordinary High Water Mark, floodway and wetlands are crucial elements for determining whether a shoreline permit would be needed for this project. In section 3 of the SEPA checklist there is a statement that all work will be outside of the shoreline area. All development should be shown on scaled project drawings. Ecology would like to review the location of the OHWM and the location of wetlands on the ground because it appears that at least three of the proposed cabins and parking lots in the Proposed Zoning Conditional Use site plan (artists drawing) would be within shoreline jurisdiction and/or in floodway or wetland locations. In addition, according to our GIS information, as one moves north into the phase 2 area, the



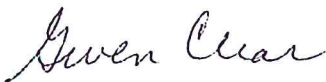
floodplain and wetland edge locations move significantly to the east. The National Wetland Inventory Map shows a significant emergent wetland on both sides of the side channel in the phase 2 area. There is also a historic side channel to the east of the wetland which extends to the south into phase 1 from the property to the north. (It appears from aerial photo interpretation that there has been about 2/10 acre clearing or filling in this area in preparation for construction – if this is the case, then this needs to be identified on shoreline permit documents.) Ecology recommends that a floodway analysis be done for this project before any structures are built in the area of this side channel. Another option would be moving these structures to the other side of the highway as there is a lot of area available there for placement of cabins.

If the expansion of the use would trigger the need for a shoreline permit, Section 17 2a of the Shoreline Master Plan states that “ fill for the purpose of installing a septic tank shall not be permitted,” and 17 2b. states that “there shall be a minimum setback of 100 feet from the ordinary high water mark for all on-site sewage treatment systems.” The locations of all grading and filling, septic drainfields, septic tanks, utilities, etc. should be shown on permit documents in order to determine if the structures are located within 200 feet of the OHWM or the landward boundary of the floodway, whichever is greater. (Shoreline jurisdiction in Kittitas County is described on page REG-4 in section 7 of the KCSMP). Landfills are prohibited in Natural shoreline environments. (KCSMP Section 28(2)).

If a shoreline permit is triggered by the proposal, then a specific description of existing structures and uses that exist now on the phase 2 property need to be clearly described. In addition, the location of all existing and proposed utilities within shoreline jurisdiction (water, power, stormwater, etc.) should be shown on the permit filing documents.

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

Sincerely,



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

Lindsey Ozbolt

From: Rose Shriner
Sent: Thursday, May 02, 2013 11:33 AM
To: Allison Kimball; Andy Kottkamp; Anne Watanabe; Bonnie Reay; Brian Carter; Catherine Clerf; Chad Bala; Christina Wollman; Cruse & Associates; Dan Valoff; Dave Nelson; dblanchard; Del Knudson; Doc Hansen; Jan Ollivier; Jan Sharar; Jeff Slothower; Jeff Watson; Joanna Markell; Julie Kjorsvik; Justin Weis; Ken Huff; Lindsey Ozbolt; Lyn Derrick; Mandy Robinson; Mandy Weed; Mark Kirkpatrick; Melinda Bates; Mike and Karen Hoban; Mike Johnston; Nathan Weis; tribune@nkctribune.com; Paula Thompson; psk; Robert Kuhlken; Roger Olsen; Sean Northrop; Steve Lathrop; Steve Olson; Sylvia; Vernon Swesey
Subject: Hearing Examiner Meeting Canceled

Hey All,

The Hearing Examiner meeting (Canyon River Ranch CUP-12-00002) tonight has been canceled and rescheduled for May 23rd, 2013.

Have a good day!

Rose Shriner
Permit Technician
Kittitas County Community Development Services
411 N Ruby St Ste. 2
Ellensburg, WA 98926
rose.shriner@co.kittitas.wa.us
509.962.7506 (p)
509.962.7682 (f)

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message id: 38eb45916c6dcbdac24bb8719d004a14

Hearing Examiner meeting
scheduled for
5/2/13 @ 6:00 pm has been:

CANCELLED

Canyon River Ranch (CU-12-
00002) has been rescheduled
for 5/23/13 @ 6:00pm

Lindsey Ozbolt

From: Kurt Shara [jkshar2@fairpoint.net]
Sent: Friday, May 03, 2013 9:07 AM
To: Lindsey Ozbolt
Subject: Re: Hearing Examiner Agenda Revised

Hi Lindsay!
Thanks much for the update!
Have a great weekend - weather's looking good!
Jan

On 5/2/2013 12:35 PM, Lindsey Ozbolt wrote:

Hi Jan,

Thank you for the letter. I will make sure it gets added to the record.

Please note that we have postponed this hearing for CU-12-00002 until May 23, 2013.

Thanks,

Lindsey Ozbolt
Staff Planner

Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926
Phone: 509-962-7637
Email: lindsey.ozbolt@co.kittitas.wa.us

From: Steph Mifflin
Sent: Wednesday, May 01, 2013 10:14 AM
To: Lindsey Ozbolt
Cc: Jan Sharar (jkshar2@fairpoint.net)
Subject: FW: Hearing Examiner Agenda Revised

Hi Jan-

Thank you for your comment letter.
I've forwarded your email on to Lindsey Ozbolt, Staff Planner, for submission into the record.

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: Kurt Shara [<mailto:jkshar2@fairpoint.net>]
Sent: Wednesday, May 01, 2013 9:58 AM
To: Steph Mifflin
Subject: Re: Hearing Examiner Agenda Revised

Stephanie,

Thank you for the update on the Hearings Examiner agenda for tomorrow.

Attached is my comment letter on the CUP application 12-0002 for the record before Mr. Kottkamp. Please pass this letter along to the planner and have it included in the H.E.'s file for tomorrow night.

If there is any problem with my request, please reply.

Thank you for your assistance!

Jan Sharar

925-7216

On 4/30/2013 10:07 AM, Steph Mifflin wrote:

Hi All-

Please see the revised agenda for the Hearing Examiner meeting scheduled this Thursday, May 2nd.

Thanks,

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

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message id: 38eb45916c6dcbbdac24bb8719d004a14

May 1, 2013

Andrew Kottkamp, Hearings Examiner
Kittitas County
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926

Dear Mr. Kottkamp,

I am writing to you in support of the Canyon River Ranch expansion and the Department of Ecology's concerns about adequate and legal water supply for the purposes in CUP permit CU 12-00002.

The Canyon River Ranch has developed a first class tourism facility over the last many years and I believe it is of overall benefit to the county. Fly fishing the Yakima and the beauty of the river are big draws to the county and bring in valuable tourism dollars to a revenue base that has fallen on hard times during the last 5 years of overall decline in the economy.

That said, the Department of Ecology has correctly stated the need for additional information on just how much the water will be needed for the expansion and how that water will be legally procured. The citing of the USGS study is appropriate and the information contained in it is pertinent to all proposed new uses of groundwater affecting the Total Water Supply Available in the Yakima River. TWSA is a critical element of consideration in all ongoing efforts by Kittitas, Yakima and Benton counties in their effort to provide a mechanism for all new water permits to not further damage the treaty water rights and senior water rights in the basin.

I have seen little information in the documents for the CUP in my online search and support the DOE request that proof of use will be within the 5,000 gallons per day limit be provided. If this isn't an adequate amount of water proof of appropriate mitigation for this use must be secured before this expansion goes forward.

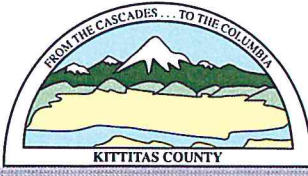
Further review of the proposal is necessary with this additional information from qualified sources.

Thank you for this opportunity to comment.

Sincerely,

Jan Sharar

390 Cattail Rd.
Ellensburg, WA. 98926
925-7216



KITTITAS COUNTY HEARING EXAMINER
Andrew L. Kottkamp, Hearing Examiner

AGENDA

THURSDAY, May 2, 2013 @ 6:00PM

KITTITAS COUNTY COURTHOUSE, COMMISSIONERS' AUDITORIUM ROOM 109
205 WEST 5TH AVENUE, ELLENSBURG, WA 98926

Procedure for Participation – Please Sign in Legibly – When Recognized:

- State your name, address and whether you are representing only yourself or others. All remarks/comments should be addressed to the Hearing Examiner and not to the audience. Questions should be addressed to the Hearing Examiner.
- Please limit Applicant Presentation to fifteen (15) minutes; Public Testimony to three (3) minutes.
- Submit all written comments or other media to the Hearing Examiner as an exhibit for the permanent record.

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

III. OLD BUSINESS - None

IV. NEW BUSINESS –

a. Canyon River Ranch Conditional Use Permit (CU-12-00002)

Application is for a Conditional Use Permit for the development and operation of a “guest ranch” 200 feet from the Ordinary High Water Mark of the Yakima River in the County’s Forest and Range zone on approximately 12 acres. The existing site and proposed expansion is located at approximately milepost 15 on SR 821 (Canyon Road), in a portion of Section 28, T16N, R19E, W.M. in Kittitas County. Assessor’s map number: 16-19-28050-0000.

b. **CANCELLED** – Steigleder Conditional Use Permit (CU-13-00002)

Application is for a Conditional Use Permit for the operation of a produce stand in the Commercial Agriculture zone on 2.95 acres. It is located approximately 1 mile southeast of Thorp at 8341 S. Thorp hwy, in a portion of Section 13, T18N, R17E, W.M. in Kittitas County. Assessor’s map number: 18-17-13020-0014.

V. OTHER BUSINESS – None

VI. ADJOURN

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		2 Advertiser/Client Name	
03/2013		KITTITAS COUNTY COMMUNITY	
23 Total Amount Due		3 Terms of Payment	
86.34			
21 Current Net Amount Due		22 30 Days	
.00		.00	
		60 Days	
		.00	
		Over 90 Days	
		.00	
4 Page Number	5 Memo Bill Date	6 Billed Account Number	7 Advertiser/Client Number
1	04/01/13	84329	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 #: 864082

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
03/30/13	864082 LEG2	NOTICE OF SEPA ACTION CANYON RIVER RANCH 03/30 DR IN	1X 10.04 10.04	1 8.60	86.34	86.34

**Statement of Account - Aging of Past Due Amounts**

21 Current Net Amount Due	22 30 Days	60 Days	Over 90 Days	*Unapplied Amount	23 Total Amount Due
0.00	0.00	0.00	0.00		86.34

DAILY RECORD/KITTITAS PUB

(509) 925-1414

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24 Invoice	25 Billing Period	6 Billed Account Number	7 Advertiser/Client Number	2 Advertiser/Client Name
864082	03/2013	84329	84329	KITTITAS COUNTY COMMUNI

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

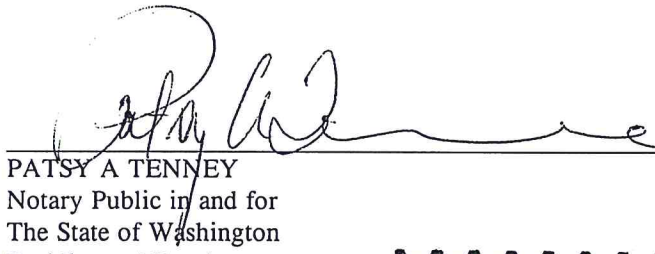
KITTITAS COUNTY COMMUNITY

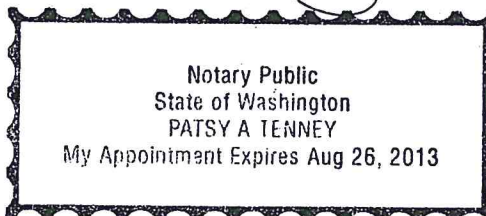
NOTICE OF SEPA ACTION AN
is published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 consecutive week(s), commencing on the following days.

03/30/2013

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 \$86.34 the rate of \$8.6 per column inch for each insertion.


Subscribed to me this 1st day of April in the year of 2013


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



NOTICE OF SEPA ACTION AND PUBLIC HEARING Canyon River Ranch addition CU-12-00002

NOTICE IS HERBY given that pursuant to 43.21(C) RCW, Kittitas County Community Development Services did on March 29, 2013 make a Determination of Non-Significance (DNS) for the Canyon River Ranch addition, conditional use application CU-12-00002. The proposed project is for addition of 12 new cabin sites plus garage structures and replacing two cabins and one garage on an existing recreation lodge and recreation area open to the public. Water and septic systems will be provided on site beyond the Shorelines Management Program area. The proposed project site is zoned Forest and Range. The existing site and proposed expansion is located at approximately milepost 15 on Canyon Road in a portion of Section 28, T. 16 N., R. 19 E., W.M., in Kittitas County, Washington, Assessor's map number 16-19-28050-0000. The complete application file may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926. Staff Planner: Lindsey Ozbolt.

Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of non-compliance with the provisions of chapter 43.21RCW shall be commenced on or before April 15, 2013 at 5:00 p.m., to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA 98926. Appeals of SEPA threshold determinations shall be consolidated with appeals of final permit approval, according to 15A.04.020, Chapter 43.21 RCW and Chapter 15.04 KCC.

NOTICE IS HEREBY given that a hearing on said application before the Kittitas County Hearing Examiner has been scheduled for May 2, 2013 at 6:00 p.m., in the Kittitas County Courthouse Auditorium, Ellensburg, WA 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at the above address prior to the hearing.

Publish: March 30, 2013