



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Building Partnerships; Building Communities

MITIGATED DETERMINATION OF NONSIGNIFICANCE

File: SEPA Checklist (LP-19-00003 and SD-19-00002)
Wallace Ranch Conservation Plat

Description: Charles Marshal, authorized agent for Wallace Ranch II, LLC., landowner, submitted an application for a 58 lot Conservation Plat on approximately 1163.7 acres of land that is zoned Forest and Range. The proposed lots range in size from two (2) to five (5) acres. The project proposal includes three development areas, one of which is within shoreline jurisdiction requiring a Shoreline Substantial Development application to be processed concurrently with the Conservation Plat application.

Proponent: Robert Wallace
330 112th Avenue NE #200
Bellevue, WA 98004

Location: The project area is located approximately 3 miles east of the City of Cle Elum along the Yakima River. It includes 72 parcels owned by Wallace Ranch II, LLC. The parcels span sections 3, 10, 11, 12, 13, and 14 of T19N, R16E, W.M., Kittitas County. See project application materials for specific parcel numbers.

Lead Agency: Kittitas County Community Development Services

The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request, or can be viewed at the Kittitas County Community Development Services website at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Long Plats" using the file number "LP-19-00003."

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) for this proposal. Failure to comply with mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

Critical Areas

- 1) Wetlands A, B and C, as identified in the Critical Areas study performed by Sewell Consulting (8/31/2020), shall require an eighty (80) foot structural buffer from the wetland boundary.
- 2) Wetland D, as identified in the Critical Areas study performed by Sewell Consulting (8/31/2020), shall maintain a one hundred and fifty (150) foot structural buffer from the wetland boundary. Wetland D and it's 150-foot buffer shall be designated as Open Space on the face of the final plat and be subject to all conditions pertaining to Open Space in subsequent determinations for this project. A

Notice to Title shall be included for each lot that contains any section of Wetland D, noting Wetland D and its 150-foot buffer area as not eligible for development in perpetuity.

- 3) Signs identifying the buffer boundaries of Wetlands A, B, C and D shall be installed by the applicant prior to final plat approval. These signs shall be no smaller than 11" x 17". There shall be no less than four (4) signs for each wetland, erected clearly and legibly centered along each edge of the wetland boundary. The signs shall identify the area as a critical area and wildlife migration protection zone. Signs shall be maintained by the developer until such time that an HOA or similar governing authority assumes responsibility. These critical areas shall be identified in any CC&R documents as protected zones in perpetuity. These actions shall be completed prior to final plat approval.
- 4) Any encroachment into wetland buffer areas as established above for the purposes of access shall adhere to the mitigation ratios outlined in KCC 17A.04.050 for Wetlands A, B and C and KCC 17B.05.020I for Wetland D. Any such encroachment shall require a mitigation plan submitted to CDS prior to final plat approval.

Cultural Resources

- 1) A Cultural Resource Survey shall be conducted by a professional archeological surveyor licensed in the State of Washington. This study shall include the development area directly adjacent to the Yakima River Shoreline jurisdiction. The results of this study shall be submitted to CDS, DAHP and the Yakima Nation for review. The development plan shall be adjusted where necessary to protect Cultural Resources, should the survey result in the discovery of resources. Any necessary adjustment to the proposed development shall not become inconsistent with the density and development regulation outlined in KCC 16.09 Cluster Platting, Conservation and Agriculture Platting, and shall comply with all conditions associated with an approval of this application.
- 5) Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP). Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action on the grounds of noncompliance with the provisions of Chapter 43.21 RCW, shall be commenced on or before **December 1, 2020 at 5 p.m.** to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg WA 98926.

Questions or Comments regarding this determination can be directed to Jeremy Johnston, (509) 962-7065, jeremy.johnston@co.kittitas.wa.us.

**Responsible
Official:**



Dan Carlson

Title: Kittitas County CDS Director

Address: Kittitas County Community Development Services
411 North Ruby St., Suite 2
Ellensburg, WA 98926

(509) 962-7506 FAX (509) 962-7682

Date: November 17, 2020

Pursuant to Chapter 15A.07.010 KCC, this DNS may be appealed by submitting specific factual objections in writing with a fee of \$1540.00 to the Kittitas County Community Development Services, 411 N Ruby St. Suit 2, Ellensburg WA 98926 Timely appeals must be received no later than 5:00pm, December 1, 2020. Aggrieved parties are encouraged to contact Community Development Services at (509) 962-7506 for more information on appeal process.