

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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### State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** David Blanchard, authorized agent for landowner Fortune Creek, LLC, requests preliminary plat approval for a 10-lot performance based cluster plan on approximately 21.09 acres of land that is zoned Rural-3. Water and wastewater treatment would be provided onsite via Group B wells and onsite individual septic systems. Approximately 11.45 acres of the site will be retained as open space.
- Proponent:** Fortune Creek, LLC
- Location:** The proposed project is located southwest of the City of Cle Elum, accessed off Storie Lane via Nelson Siding Road, Cle Elum, Washington. The property is located in a portion of the North ½ of Section 33, T20N, R14E, WM in Kittitas County. Map number: 20-14-33000-0007.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

Based on the project specific analysis, the lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures are listed below. Also note the following:

- A. This finding is based on review of the Long Plat Application submitted December 16, 2009. The application includes a SEPA Environmental Checklist dated December 15, 2009 and the following reports or studies: *Soil Logs Report* (December 30, 2009); *Custom Soil Resources Report* (December 9, 2009); and a title report dated December 10, 2009.
- B. Issuance of this threshold determination does not constitute approval of the proposal for construction. This proposal will require review and approval by Kittitas County (Building Permit and associated permits/approvals) and will be reviewed for compliance with all applicable Kittitas County codes which regulate development activities, including but not limited to the Zoning Code, Uniform Fire and Building Codes, Road Standards, Surface Water Design Manual, and the Sensitive Areas Regulations. This proposal will also require approvals by other agencies as described in the SEPA Environmental Checklist. These approvals and requirements are not inclusive, as some approvals and code requirements can only be confirmed and/or reviewed upon submittal of construction permits.

- C. Voluntary mitigation measures which the applicant will implement as part of the proposal are listed in the SEPA Environmental Checklist. These mitigation measures are in addition to requirements that will be implemented through Kittitas County code compliance permit review. Prior to construction permit issuance, these voluntary mitigation measures will be incorporated as conditions of development.

**Voluntary Mitigation Measures:**

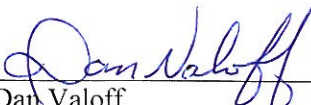
- a. All stormwater facilities will be designed and constructed in accordance with the Department of Ecology's Stormwater Management Manual for Eastern Washington.
- b. Energy-efficient and "green" building practices will be encouraged for future residences.
- c. Construction will be limited to 7am-6pm during the summer, and 8am-6pm during the winter.
- d. Future CC&Rs should encourage the use of natural building materials and natural or earth-tone colors.
- e. If ground disturbance or other activities related to the proposed development should result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact made with the Washington State DAHP, SHPO and/or affected tribes. Work shall remain suspended until the find is assessed and appropriate consultation is conducted.
- f. The applicant may construct a trail that will provide opportunities for active and passive recreation.

**The following SEPA mitigation conditions shall also apply based on the project specific analysis:**

**Light Impacts**

1. The following note shall be placed on the face of the final plat:  
*All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.*

**Responsible  
Official:**

  
Dan Valoff

**Title:**

Staff Planner

**Address:**

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Phone: (509) 962-7506 Fax: (509) 962-7682

**Date:**

October 28 2010

This Mitigated DNS is issued under WAC 197-11-355 and WAC 197-11-390; the lead agency will not act on this proposal for 10 working days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced on or before 5:00 pm, November 12, 2010.

**Pursuant to Chapter 15A.04.020 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received within 10 working days, or no later than 5:00 PM, November 12, 2010. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.**