

# 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

**To:** WA Dept. of Ecology - Yakima  
WA Dept. of Ecology - SEPA Registry  
WA Department of Natural Resources  
WA Department of Fish and Wildlife  
WA State Department of Transportation  
Yakama Nation  
City of Ellensburg  
Ellensburg School District  
Kittitas County Board of County Commissioners  
Kittitas County Sheriff's Dept.  
Kittitas County Life Safety  
Kittitas Valley Fire and Rescue  
Kittitas County Environmental Health  
Kittitas County Solid Waste Programs  
Kittitas County Public Works  
CWU Library  
Adjacent Property Owners  
Applicant

**From:** Scott Turnbull, Staff Planner  
Kittitas County Community Development Services

**Date:** September 8, 2008

**Subject:** **SEPA NOTICE OF ACTION-SCHEDULE OF PUBLIC HEARING: Palomino Fields Preliminary Plat (P07-31)**  
Application from Terra Design Group Inc., authorized agent for Cle Elum Pines West, Cle Elum Pines East and Michael Cordner, landowners. for a 120-lot plat on 120.80 acres of land that is zoned Urban Residential (Suburban), located north of Dry Creek Road and west of Reecer Creek Road comprising a portion of the W 1/2 of Section 27, T. 18N., R 18E., W.M. in Kittitas County. Tax parcel number(s) # 18-18-27020-0002, 0003, 0015, 0016, 0017, 0001.

A copy of the submitted environmental checklist and related application materials for this proposal were previously mailed to you for review on June 29, 2007. The project was renoticed on January 28, 2008 and July 10, 2008 for an additional comment period. If you did not receive any of these documents, or require additional information, please contact our office. Enclosed please find a Notice of Action and Mitigated Determination of Non-Significance (MDNS) for the referenced proposal.

Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced on or before **September 19, 2008 at 5:00 p.m.** to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA. 98926.

**An open record hearing is scheduled before the Kittitas County Hearings Examiner on October 9th, 2008 at 6:00 p.m. in the Commissioner's Auditorium, Kittitas County Courthouse. Interested persons are encouraged to verify by contacting CDS prior to attending.**

If you have any questions please do not hesitate to contact us.

**Please retain all enclosed materials.**

**00396**

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLANS EXAMINATION • ADMINISTRATION • PERMIT SERVICES • INVESTIGATION • ENFORCEMENT



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## SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Palomino Fields Preliminary Plat (P-07-31)
- Description:** A 120 lot preliminary plat on approximately 120.08 acres of land zoned Urban Residential (Suburban).
- Proponent:** Terra Design Group  
PO Box 686  
Cle Elum, WA 98332  
Authorized agent for: Cle Elum Pines West
- Location:** The project is located north of Dry Creek Road and west of Reecer Creek Road comprising a portion of the W 1/2 of Section 27, T. 18N., R 18E., W.M. in Kittitas County. Specific map number(s) # 18-18-27020-0002, 0003, 0015, 0016, 0017, 0001.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that it does 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. 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. These mitigation measures include the following:

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

### I. Transportation

- A. The applicant shall be responsible for meeting or exceeding all conditions and requirements set forth by the Department of Public Works.
- B. The applicant will provide a proportionate share contribution to the improvement at the Reecer Creek Road and University Way intersection according to the approved transportation impact analysis.
- C. The applicant will abide by the conditions as approved under the Palomino Road Variance -08-18 including:
  - a. Improvements to the Bowers Road and Reecer Creek Road intersection including a right hand turn lane and acceleration lane.
  - b. A temporary Cul-de-Sac will be installed at the end of Bowers Road extension.

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DARRYL PIERCY, DIRECTOR  
ALLISON KIMBALL, ASSISTANT DIRECTOR

- c. The applicant will guarantee a thru route from Reecer Creek Road to Faust Road, to be built with future development.
- d. A temporary access at Bender Road will be built, gated and for emergency use only.

## II. Air

- A. If the applicant plans to burn trees or debris from the property, the applicant shall obtain a burn permit from the Department of Ecology. Only natural unprocessed vegetation may be burned in an outdoor fire. It is the applicant's responsibility to contact the Department of Ecology regarding this permit.

## III. Water & Septic

- A. Activities such as road widening, stump pulling and clearing, grading and fill work and utility placements may require an NPDES Construction Stormwater Permit issued by the Department of Ecology prior to start of construction. This permit requires the preparation of a Stormwater Pollution Prevention Plan. It is the applicant's responsibility to contact the Department of Ecology regarding this requirement.
- B. Prior to any grading, clearing or construction, erosion control measures shall be in place and shall be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. The erosion control sediment plan shall be a part of the Stormwater Prevention Plan, as referenced in item A.
- C. The applicant will develop a Group A Water System for the project. The Group A Water System shall be designed by a licensed engineer and approved by the Washington State Department of Health. The Group A water system shall be approved prior to final plat approval. The Group A water system may be built in phases as provided for in the approved Group A Comprehensive Water System Plan as required by DOH, pursuant to WAC 246. Demonstration of adequate water rights in relation to development of a Group A Water System shall be completed prior to final approval. Except for the existing exempt well that currently serves the property no other exempt wells shall be developed to service the project. Any deviations to the water system requirements shall undergo further environmental and plat review.
- D. The applicant will provide sewage treatment through metered Community Septic Systems or metered Large On-Site Septic Systems pursuant to WAC 246-272B "Large-On-Site Septic System Regulations". The type of meters used will be prescribed by Kittitas County. The initial phases of the project will be served by Community Septic Systems or Large On-Site Septic Systems designed by a licensed septic designer and approved by the Kittitas County Environmental Health Department, pursuant to KCC 13 or by the Washington State Department of Health pursuant to WAC 246. These Community Septic Systems or Large On-Site Septic Systems shall be located on an adjacent parcel of land, for a seamless transition into a possible Class A Reclaimed Water System Facility.
- E. Prior to final approval, identification of community septic areas along with completed site evaluations will be required by the Kittitas County Environmental Health Department
- E. If a Large On-Site Septic System (LOSS) system is pursued, the appropriate approval documents from the Washington State Department of Health will be required prior to final approval by the Kittitas County Environmental Health Department.
- F. Class A Reclaimed Water Facility: Pursuant to WAC 173-240-050 & RCW 90.46, a Class A Reclaimed Water Facility may be developed and approved by the Washington State Department of Health and Washington State Department of Ecology. The system, located on an adjacent parcel of land, will contain the following trigger points:

- a. *When the effluent volume reaches a monthly average of 8,000 gallons per day the applicant will be required to start the planning process for this facility. No additional building permits will be issued until the Washington State Department of Health or the Washington State Department of Ecology has confirmed that the planning process for the facility has started.*
  - b. *When the effluent volume reaches a monthly average of 10,000 gallons per day the applicant will be required to have completed the planning process for the facility. In addition the applicant will be required to start creating engineering and construction drawings for the facility. No additional building permits will be issued until the Washington State Department of Health or the Washington State Department of Ecology has confirmed that the planning process for the facility has been completed and that the applicant has started the engineering and construction drawings.*
  - c. *When the effluent volume reaches a monthly average of 12,000 gallons per day the applicant will be required to have completed the engineering and construction plans for this facility. No additional building permits will be issued until the Washington State Department of Health or the Washington State Department of Ecology has confirmed that the engineering and construction plans for the facility have been completed.*
  - d. *When the effluent volume reaches a monthly average of 14,000 gallons per day the applicant will be required to have obtained a building permit for the facility and to have started the construction of the facility. No additional building permits will be issued until the Kittitas County Building Department has confirmed that a building permit for the facility has been issued and that construction has started.*
  - e. *When the effluent volume reaches a monthly average of 15,000 gallons per day the applicant will be required to have completed and have an operational reclaimed facility. No additional building permits will be issued until the Washington State Department of Health or the Washington State Department of Ecology has confirmed that the facility is operational.*
  - f. *The applicant will record and provide to Community Development Services the recorded meter readings for each Community Septic System or Large On Site Septic System on a quarterly basis.*
- G. If the applicant wishes to access city systems in the future, it will be recommended that all improvements be developed to current city standards.
- H. Metering shall be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements (Memorandum of Agreement between Kittitas County and Washington State).
- I. The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.
- J. Washington Administrative Code (WAC) 173-150 provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If the water supply in your area becomes limited your use could be curtailed by those with senior water rights.

## V. Historic and Cultural Preservation

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- A. Prior to any ground breaking activity on the subject property, the applicant shall consult with the

Yakama Nation regarding an archaeological survey of the subject property due to a high potential for cultural resource sites at the proposed subdivision. Documentation shall be submitted to Community Development Services to be maintained in the project file.

#### **VI. Light and Aesthetics**

- A. All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

#### **VII. Noise**

- A. Construction activities shall comply with KCC 9.45 (Noise). Construction hours shall be from 7:00am to 7:00pm.

#### **VIII. Land and Shoreline Use**

- A. Wetland and Wildlife study will be required, prior to final approval, establishing the appropriate buffers regarding sensitive areas as determined by the consultant.
- B. One hundred foot buffers will be established along Currier Creek and shown on the final mylars.
- C. A riparian management plan that would incorporate signage for Currier Creek will be completed prior to final approval.
- D. All waterways/waters/ditches located on the subject property, regardless of their designation of intermittent, perennial or ephemeral, shall be delineated and shown on the final mylars. Improvements to such water features shall not impact on-site and off-site use.
- E. A Hydraulic Project Approval (HPA) from the Department of Fish & Wildlife shall be required for all work affecting watercourses, including those that do not flow year-round. This includes, but is not limited to, work associated with construction of bridges, culverts, drainage facilities, outfalls and other construction affecting the bed, bank or flow of watercourses.
- F. The applicant shall consult with the Department of Fish & Wildlife to determine the appropriate size of culvert needed for the crossing of any stream or watercourse on the subject property. Prior to final approval the applicant will provide documentation that said crossings meet the proposed standards.

#### **IX. Public Safety**

- A. The applicant shall consult with the local school district and provide for and depict on the final mylars a safe location for a bus stop.
- B. Any future development shall comply with the International Fire Code (IFC) and its Appendices and Referenced Standards, Kittitas County Code, and Kittitas County Road Standards and shall adhere to the strictest of said standards.

#### **x. Parks and Recreation**

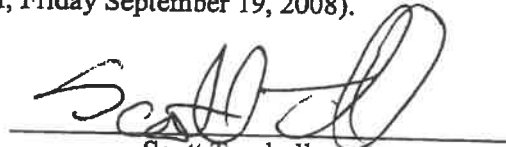
- A. The proposal will include 4-5 pocket parks spaced throughout the platted development. The pocket parks shall be dedicated as open space for perpetuity.

- B. The applicant shall add 120 trees that shall be placed sporadically through the development. The trees shall serve as a buffer along the John Wayne Trail. The applicant shall replace any trees that die within the first three years.

**X. SEPA Review**

This MDNS is issued under WAC 197-11-350. 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's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 PM, Friday September 19, 2008).

**Responsible  
Official:**

  
Scott Turnbull

**Title:** Staff Planner

**Address:** Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
(509) 962-7506 FAX 962-7682

**Date:** September 4, 2008

Pursuant to Chapter 15A.07 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 no later than 5:00 PM, September 19, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.

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## Notice of SEPA Action/Public Hearing Palomino Fields Preliminary Plat

NOTICE IS HEREBY given that pursuant to 43.21C RCW (SEPA), Kittitas County Community Development Services did on September 8, 2008 make a Determination of Mitigated Non-Significance (MDNS) on an application from Terra Design Group Inc., authorized agent for Cle Elum Pines West, Cle Elum Pines East and Michael Cordner, landowners. for a 120-lot plat on 120.80 acres of land that is zoned Urban Residential (Suburban), located north of Dry Creek Road and west of Reecer Creek Road comprising a portion of the W 1/2 of Section 27, T. 18N., R 18E., W.M. in Kittitas County. Tax parcel number(s) # 18-18-27020-0002, 0003, 0015, 0016, 0017, 0001.

Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced on or before September 19, 2008 at 5:00 p.m. to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA. 98926. The complete application file (P-07-42) may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA. 98926. Staff Planner: Scott Turnbull.

NOTICE IS HEREBY given that a hearing on said application before the Kittitas County Hearings Examiner has been scheduled for Thursday, October 9, 2008 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. Interested persons are encouraged to verify prior to attending.

Date: September 4, 2008 Publish: September 8 and September 15, 2008 Daily Record

