



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Gerard Preliminary Plat (LP-08-12)
- Description:** Application for an 8-lot subdivision of approximately 40.65 acres of land zoned Ag-5 pursuant to Kittitas County Code 16.32.
- Proponent:** Cruse & Associates
Chuck Cruse
PO Box 959
Ellensburg, WA 98926
Landowner: Donald Gerard
- Location:** The subject property is located north of the City of Ellensburg, north of Hungry Junction Road, west of Tipton Road, Ellensburg, WA 98926, and is located in a portion of Section 14, T18N, R18E, WM, in Kittitas County. Specific map numbers 18-18-14057-0001, 0002, 0003, 0004.

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, as listed in the attached memorandum.

II. Water

- 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.
- B. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administrated by the Washington State Department of Ecology; this includes the use of water for

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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irrigation. Legally obtained water must be used on-site.

- C. The total daily groundwater withdrawal for the Gerard Preliminary Plat (LP-08-12) shall not exceed 5,000 gallons for the entire 8-lots combined, per requirement of Department of Ecology regulations. This allows for 625 gallons per lot, regardless of development status of each individual lot.
- D. Metering will 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.
- E. 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 groundwater 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.
- F. 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.

III. Irrigation

- A. The existing Kittitas Reclamation District irrigation ditch that runs through Lots 1 through 4 of the Gerard Preliminary Plat (LP-08-12) shall be protected in such a way that there is no interruption or diversion to the delivery of prescribed irrigation waters to the adjoining residents. The applicant shall work with the Kittitas Reclamation District to ensure compliance and provide documentation to Community Development Services from the KRD stating compliance prior to final approval.

IV. Light and Aesthetics

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

V. Noise

- A. Development and construction practices for this project shall only occur between the hours of 7:00am to 7:00pm to minimize the effect of construction noise on nearby residential properties.

VI. Public Safety

- A. Addresses of all new residences shall be clearly visible from both directions at the county road.
- B. Any future development shall comply with the International Fire Code (IFC) and its Appendices.
- C. The applicant shall consult with the local school district to determine the safest location for a school bus stop and said location shall be depicted on the final mylars.
- D. A portion of the Gerard Preliminary Plat (LP-08-12) is located within the Inner Turning Zone boundary of the Airport Overlay Zone (KCC 17.58.050(1)(j)). A plat note shall be added to the final mylars that states the following: *This property is located within the Airport Overlay Zoning District in which a variety of airport aviation activities occur. Such airport aviation activities may impact the use of your property.*

VII. 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, October 24, 2008).

**Responsible
Official:**


Mackenzie Moynihan

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: October 9, 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, October 24, 2008. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.