

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

October 26, 2007

Pacific Northwest Land Surveyors
c/o Thomas Kerth
2606 East Main Avenue
Puyallup, WA 98372

RE: Ben Davidson Short Plat (SP-07-11)

Dear Mr. Kerth:

The Kittitas County Community Development Services Department has determined that the Ben Davidson Short Plat is a complete application and hereby grants **conditional preliminary approval** subject to the following conditions:

1. Both sheets shall reflect the short plat number SP-07-111.
2. All mitigations as set forth in the SEPA MDNS issued on October 8, 2007 shall be conditions of approval and of the project. Please see attached MDNS.
3. A **plat note shall be added** as follows in reference to the BPA easement located on the property:

The Bonneville Power Administration (BPA) imposes certain conditions on the portions of these lots encumbered by its high voltage transmission line right-of-way. BPA does not allow structures to be built within the right-of-way, nor does it allow access to be blocked to any transmission facilities. Prior to installation, BPA needs to agree to any activity that is to occur within the right-of-way.

4. Attached you will find comments from the Kittitas County Department of Public Works, Bonneville Power Administration, Department of Archaeology & Historic Preservation, and the Washington State Department of Ecology. **Please see those documents for any additional required plat notes and information on issues needing completion before final approval of this short plat.**

Approval of the Ben Davidson Short Plat may be appealed to the County Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after Friday, November 9, 2007. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

Sincerely,

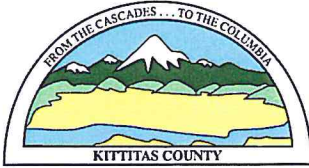
Mackenzie Moynihan
Staff Planner

CC Required parties (KCC 15A)

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Project:** Ben Davidson Short Plat (SP-07-111)
- Description:** A 4-lot subdivision on approximately 21.0 acres of land zoned Rural-5
- Proponent:** Pacific Northwest Land Surveyors and Ben Davidson
c/o Thomas Kerth Davidson Custom Builders
2606 East Main Avenue PO Box 863
Puyallup, WA 98372 Cle Elum, WA 98922
- Location:** The project is located south of Interstate 90 west of Nelson Siding Road, Easton, WA 98925, and located in a portion of the southeast ¼ of Section 19, T20N, R14E, WM, in Kittitas County. Tax parcel number 20-14-19040-0013.
- 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. Air

- A. The applicant shall obtain a burn permit from the Department of Ecology if planning to burn trees or debris from the property. Only natural unprocessed vegetation may be burned in an outdoor fire.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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- B. Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the site. The Department of Ecology recommends the proponent create a site-specific Fugitive Dust Control Plan (FDCP) before starting the project and then following the plan through the duration of activity on the property. The applicant shall be responsible for contacting the Department of Ecology for additional information.

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

IV. Critical Areas

- A. A right-of-way belonging to the Bonneville Power Administration (BPA) impacts this project significantly. All activities planned within the BPA right-of-way shall be approved by BPA prior to their occurrence, including but not limited to; the installation of fences, abolishment of access routes, construction of buildings, driveways or small structures. It is the applicant's responsibility to contact the Bonneville Power Administration prior to any activity within the right-of-way.

V. Cultural Archaeology

- A. Prior to any ground disturbing activities the applicant will consult with the Department of Archaeology & Historic Preservation on a professional archaeological study regarding the subject property to protect any and all archaeological resources.

VI. Public Service

- A. The subject property is not served by a local fire protection agency. The applicant shall comply with all rules and regulations of the International Fire Code and the International Urban Wildland Interface Code.

VII. Light and Aesthetics

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

VIII. 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, Tuesday, October 23, 2007).

**Responsible
Official:**

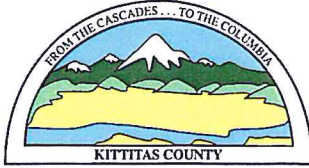

Mackenzie Moynihan

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 8, 2007

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$300.00 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 23, 2007. 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

TO: WA Dept. of Ecology - Yakima
WA Dept. of Ecology – SEPA Registry
WA Department of Natural Resources – Ellensburg
WA Department of Fish & Wildlife – Ellensburg
Yakama Nation
Yakama Nation – Dept. of Natural Resources
Kittitas County Board of Commissioners
Kittitas County Sheriff's Dept.
Kittitas County Fire Marshal
Kittitas County Environmental Health
Kittitas County Solid Waste Programs
Kittitas County Public Works
Adjacent Property Owners
Applicant

FROM: Mackenzie Moynihan, Staff Planner

DATE: October 8, 2007

SUBJECT: **SEPA NOTICE OF ACTION: Ben Davidson Short Plat (SP-07-111)**

Enclosed please find a SEPA Notice of Action and Mitigated Determination of Nonsignificance (MDNS) for the referenced proposal. A copy of the submitted environmental checklist and related application materials for this proposal were mailed to you for review on September 6, 2007. If you did not receive any of these documents, or require additional information, please contact our office.

An application from Thomas Kerth of Pacific Northwest Land Surveyor's, authorized agent for Ben Davidson, landowner, was submitted on June 20, 2007, for a 4-lot short plat on approximately 21.0 acres of land zoned Rural-5. The property is located southeast of the town of Easton, south of Interstate 90 west of Nelson Siding Road, Easton, WA 98925 and located in portions of the southeast ¼ of Section 19, T20N, R14E, WM, in Kittitas County. Map number 20-14-19040-0013.

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 October 23, 2007 at 5:00 p.m.** to the Kittitas County Board of County Commissioners, Room 108, County Courthouse, Ellensburg, WA 98926.

If you have any questions please contact Community Development Services at (509) 962-7506, Mackenzie Moynihan, Staff Planner.

Please retain all enclosed materials.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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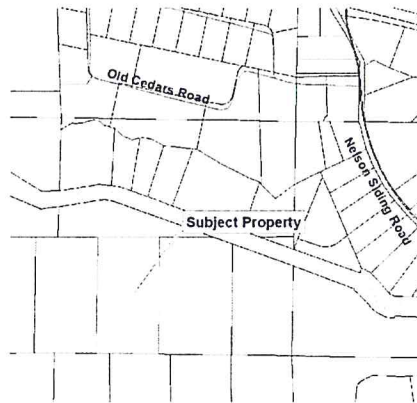
Notice of SEPA Action Ben Davidson Short Plat (SP-07-111)

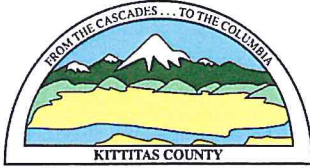
NOTICE IS HEREBY given that pursuant to 43.21C RCW (SEPA), Kittitas County Community Development Services did on October 8, 2007 issue a Mitigated Determination of Non-Significance (MDNS) on an application from Thomas Kerth, Authorized Agent, and Ben Davidson, landowner, for a short plat application on approximately 21.0 acres of land that is zoned Rural-5. The project is located southeast of the Town of Easton south of Interstate 90 west of Nelson Siding Road, Easton, WA 98925, and located in portions of the southeast quarter of Section 19, T20N, R14E, WM, in Kittitas County. Map number 20-14-19040-0013.

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 Tuesday, October 23, 2007 at 5:00 p.m. to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA. 98926. The complete application file, SP-07-111, may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926. Staff Planner: Mackenzie Moynihan

Date: October 8, 2007

Publish: October 8, 2007 and October 15, 2007, Daily Record
October 11, 2007 and October 18, 2007, NKC Tribune





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October 4, 2007

Pacific Northwest Land Surveyors
ATTN: Thomas Kerth
2606 East Main Avenue
Puyallup, WA 98372

RE: Transmittal of Documents – Ben Davidson Short Plat (SP-07-111)

Dear Mr. Kerth:

Enclosed are the comments I have received regarding the Ben Davidson Short Plat during the comment periods for this project:

| | |
|--------------------|---|
| September 12, 2007 | Department of Energy – BPA |
| August 16, 2007 | Department of Ecology |
| August 8, 2007 | Department of Energy – BPA |
| August 7, 2007 | Department of Archaeology & Historic Preservation |
| August 2, 2007 | Department of Public Works |
| July 26, 2007 | Department of Energy – BPA |

I will be issuing the SEPA Action on Monday, October 8, 2007. These are all of the comments I have received from jurisdictions for this project. Please pay close attention to the comments from the Department of Ecology, as they are becoming very strong in their expectations regarding potable water resources.

If you have any questions, please let me know. You will receive the MDNS on the SEPA next week.

Sincerely,

Mackenzie Moynihan
Staff Planner

cc: Ben Davidson

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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