



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

### MITIGATED DETERMINATION OF NONSIGNIFICANCE

**Project:** DJ Cattle & Land Short Plat (SP-08-00020)

**Description:** A 4-lot subdivision of approximately 21.02 acres of land zoned Rural-5.

**Proponent:** DJ Cattle & Land, LP, Landowner  
PO Box 654  
Port Orchard, WA 98366

**Location:** The subject property is located north of the City of Cle Elum, west of Deer Creek Road on Summit View Road, Cle Elum, WA 98922, and located in a portion of Section 23, T20N, R15E, WM, in Kittitas County. Assessor's Map number 20-15-23051-0004.

**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 and as listed in the attached memorandum.
- B. All access to the property shall be from Summit View Road. Deer Creek Road shall not be used as a primary access to this property.

##### 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 irrigation. Legally obtained water must be used on-site.
- C. The applicant shall be allowed one daily groundwater withdrawal exemption of 2,000 gallons per day

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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to be divided between all four lots cumulatively. This allows each lot 500 gallons per day maximum.

- D. 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.
- E. 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.
- 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. Light and Aesthetics**

- A. All outdoor lighting shall also be shielded and directed downward to minimize the effect to nearby residential properties.
- B. Lighting shall be shielded to reduce glare to adjoining properties.

### **IV. Noise**

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

### **V. Public Safety**

- A. The applicant shall provide a safe location and passageway for a school bus stop. The local school district shall be consulted regarding the location and it shall be shown on the final mylars.
- B. Mail routes and boxes shall be approved by the local postmaster. Mailboxes shall not create site obstructions.
- C. All future development shall comply with the 2006 International Wild-land Urban Interface Code (WUIC) and its appendices.

### **VI. 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, September 30, 2008).

**Responsible Official:** \_\_\_\_\_  
**Kari Braniff**

**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 16, 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 County Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 PM, September 30, 2008. Aggrieved parties are encouraged to contact the Kittitas County Board of County Commissioners at (509) 962-7508 for more information on appeal process.**