



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

Affidavit of Mailing & Publication

PROPOSAL NAME: Love’s Travel Stop Facility SEPA (SE-19-00014)

NOTIFICATION OF: Notice of Decision – SEPA MDNS

NOTIFICATION MAIL DATE: 01-13-2020

I certify that the following documentation:

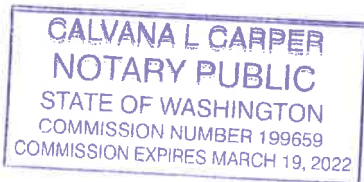
- Notice of Decision and SEPA MDNS has been mailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Signature

Lindsey Ozbolt
Planning Official
County of Kittitas
State of Washington

Subscribed and sworn to before me this 13th day of January, 2020

Calvana Carper
Notary Public for the State of Washington residing
in Cle Elum.



My appointment expires: 3-19-22

Mountains to Sound Greenway
Attn: Amy Brockhaus
2701 First Ave. Suite 240
Seattle, WA 98121
Amy.brockhaus@mtsgreenway.org

Terri Campbell
Easton Village Road
eastonvillageroad@gmail.com

Terri Campbell
terriacampbell@gmail.com

KCFD #3 (Easton)
PO Box 161
Easton WA 98925
Incorrect address

Cathy Whelpley
cwhelpley@gmail.com

Deidrah Wright
deidrahw@icloud.com

Marge Brandsrud
PO Box 638
Easton, WA 98925

The Marchefkas
jackiemikem@msn.com

Jason Moulton
Moultonjason70@hotmail.com

Eric Paffenroth
Eric.paffenroth@gmail.com

Scott Campbell
Campbellgang@gmail.com

Maria Clarke
Tiamaria2506@aol.com

Douglas Coburn
Douglas.coburn156@gmail.com

Sydney Hanson
DAHP Transportation Archaeologist
Sydney.hanson@dahp.wa.gov

Gwen Clear
DOE Enviro Review Coord.
crosepa@ecy.wa.gov

Scott Downes
WDFW
Scott.downes@dfw.wa.gov

Kathryn Hayden, PE
WA DOH, Env. Engineer
Kathryn.hayden@doh.wa.gov

Deborah Johnson
WA DOH, Wellhead specialist
Deborah.johnson@doh.wa.gov

Russell Mau
WA DOH, Regional Engineer
Russell.mau@doh.wa.gov

WSDOT
Attn: Paul Gonseth, PE
2809 Rudkin Road
Union Gap, WA 98903

John Jenson
PO Box 602
Easton, WA 98925

Michael & Lisa Jones
Mikejones777@gmail.com

Holly Erdman
KC Env. Health
Holly.erdman@co.kittitas.wa.us

KCFD #3 (Easton)
PO Box 52
Easton, WA 98925

KC Public Works
Mark.cook@co.kittitas.wa.us
Candie.leader@co.kittitas.wa.us
Zachery.peebles@co.kittitas.wa.us

Sparks Park LLC
PO Box 246
Ronald, WA 98940

Lindsey Ozbolt

From: Lindsey Ozbolt
Sent: Monday, January 13, 2020 12:13 PM
To: 'amy.brockhaus@mtsgreenway.org'; 'eastonvillageroad@gmail.com'; 'terriacampbell@gmail.com'; 'cwhelpley@gmail.com'; 'deidrahw@icloud.com'; 'jackiemikem@msn.com'; 'moultonjason70@hotmail.com'; 'eric.paffenroth@gmail.com'; 'campbellgrang@gmail.com'; 'tiamaria2506@aol.com'; 'douglas.coburn156@gmail.com'; 'sydney.hanson@dahp.wa.gov'; 'crosepa@ecy.wa.gov'; scott.downes@dfw.wa.gov; 'kathryn.hayden@doh.wa.gov'; 'deborah.johnson@doh.wa.gov'; 'russell.mau@doh.wa.gov' (russell.mau@doh.wa.gov); 'mikejones777@gmail.com'; Holly Erdman; Mark Cook; Candie Leader; Zachery Peebles; Julie Kjorsvik; Toni Berkshire; 'sepaunit@ecy.wa.gov'; 'separegister@ecy.wa.gov'; gcle461@ecy.wa.gov; 'sepa@dahp.wa.gov'; 'Nick Wheeler'; Zach Severs; Brandon Johnson (brandon.johnson@scjalliance.com); 'patryk.kowalczyk@loves.com'
Cc: Dan Carlson; Jeremy Johnston; Kelly Bacon (CD)
Subject: Notice of SEPA Decision and SEPA MDNS - Love's Travel Stop SE-19-00014
Attachments: SE-19-00014 Loves Notice of Sepa Action Mailer.pdf; SE-19-00014 Loves MDNS.pdf

Good afternoon.

Please find attached the Notice of SEPA Action/Decision and SEPA MDNS issued for Love's Travel Stop SE-19-00014.

Any action to set aside, enjoin, review, or otherwise challenge this SEPA decision on the grounds of non-compliance with the provisions of Chapter 43.21C RCW (State Environmental Policy Act) and pursuant to Chapter 15A.07.010 KCC, may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm, January 28, 2020.

Best regards,

Lindsey Ozbolt
Planning Official
Kittitas County Community Development Services
411 N. Ruby St., Suite 2 | Ellensburg, WA 98926
(509) 962-7046 | lindsey.ozbolt@co.kittitas.wa.us

From: [Lindsey Ozbolt](mailto:Lindsey.Ozbolt)
To: ["campbellgrang@gmail.com"](mailto:campbellgrang@gmail.com)
Subject: FW: Notice of SEPA Decision and SEPA MDNS - Love's Travel Stop SE-19-00014
Date: Monday, January 13, 2020 12:17:00 PM
Attachments: [SE-19-00014 Loves Notice of Sepa Action Mailer.pdf](#)
[SE-19-00014 Loves MDNS.pdf](#)

Please see the below message and attached documents. This has been forwarded to you as your email was inadvertently typed incorrectly in the original transmittal.

Best regards,

Lindsey Ozbolt

Planning Official

Kittitas County Community Development Services

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

(509) 962-7046 | lindsey.ozbolt@co.kittitas.wa.us

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Sent: Monday, January 13, 2020 12:13 PM

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Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>; Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
Subject: Notice of SEPA Decision and SEPA MDNS - Love's Travel Stop SE-19-00014

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Best regards,

Lindsey Ozbolt

Planning Official

Kittitas County Community Development Services

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(509) 962-7046 | lindsey.ozbolt@co.kittitas.wa.us



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CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

“Building Partnerships – Building Communities”

NOTICE OF SEPA ACTION

To: Applicable Agencies
Parties of Record
Applicant

From: Lindsey Ozbolt, Planning Official

Date: January 13, 2020

Subject: SE-19-00014 Loves Travel Stop – SEPA MDNS

NOTICE IS HEREBY given that pursuant to WAC 197-11-340 and 43.21C RCW, Kittitas County Community Development Services did on January 13, 2020 issue a Mitigated Determination of Non-Significance (MDNS) on the proposed Love’s Travel Stop Facility submitted by Love’s Travel Stops & Country Stores, Inc. The proposal is to construct the travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. Tax parcel 778834, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor’s map number 20-13-02030-0009.

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. The complete application file is available to the public on request or may be viewed at Kittitas County Community Development Services at 411 North Ruby St, Suite 2 Ellensburg, WA 98926, or on the county website. <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> (Miscellaneous SEPA Applications, file number SE-19-00014).

Any action to set aside, enjoin, review, or otherwise challenge such action on the grounds of non-compliance with the provisions of Chapter 43.21C RCW (State Environmental Policy Act) and pursuant to Chapter 15A.07.010 KCC, may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm, January 28, 2020.

Direct question regarding this proposal to:

Planning Official: Lindsey Ozbolt
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7506
lindsey.ozbolt@co.kittitas.wa.us



State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** Love's Travel Stops & Country Stores, Inc. is proposing the construction of travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. The project is proposed on a site that is zoned General Commercial. The proposal is classified under Kittitas County Code (KCC) 17.15.070.1 as "retail sales general," and "vehicle/equipment service and repair." As proposed, these are permitted outright uses in the existing zone and land use designation.
- Proponent:** Patryk Kowalczyk, Applicant
Nick Wheeler (SCJ Alliance), Agent
- Location:** 1 parcel, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor's map number 20-13-02030-0009, tax parcel number 778834.
- 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.

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) 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 include the following:

Earth

- 1) A fill and grade permit is required pursuant to Kittitas County Code 14.05.050

Transportation

- 1) The applicant shall adhere to all applicable regulations as set forth in the current Kittitas County Road Standards.
- 2) The access locations shall be reviewed by the Kittitas County Department of Public Works to ensure that the access locations meet all applicable criteria for ingress/egress
- 3) The Kittitas County Grading Ordinance requires a permit if grading activity in excess of 100 cubic yards occurs pursuant to KCC 14.05. Contact Kittitas County Public Works for information relating to permitting at 509-962-7523.

Water and Waste Disposal

- 1) Prior to issuance of building permits, applicant shall obtain a permit through the Washington State Department of Health for a Large On-site Sewage System (LOSS) to serve the project or other type of system with written approval from Washington State Department of Health.
- 2) Adequate proof of water availability to serve the proposed project from the Kittitas County Water District #3 (Easton) shall be provided to the Department of Health and Kittitas County Public Health Department to satisfy all requirements prior to or at the time of building permit submittal.

Stormwater

- 1) A Stormwater Plan prepared by a State of Washington licensed engineer, and approved by the Kittitas County Public Works Department is required prior to issuance of any building permit.
- 2) All stormwater and surface runoff generated by this project shall be retained and treated on-site. If any is to be discharged off site a NPDES Construction Stormwater General Permit is to be obtained through the Department of Ecology Prior to any clearing, grading or construction.

Building

- 1) All buildings and structures shall require full engineering for lateral gravity and fire life-safety.
- 2) All restrooms, office, and retail space shall be ADA accessible. ADA accessible parking shall also be provided.
- 3) All structures shall meet Kittitas County Code Title 14
- 4) All commercial building permits shall require a pre-application meeting with Kittitas County prior to submittal
- 5) All proposed buildings, landscaping, and other improvements shall comply with certain height restrictions. It is the applicant's responsibility to contact Patrick Wright of the WSDOT Aviation Division at 360-709-8019 for requirements.

Fire

- 1) All structures shall have adequate fire apparatus access.
- 2) Exterior siding and materials shall meet wildland-urban interface requirements.
- 3) All future development must comply with the International Fire Code (IFC) and Appendices

Cultural Resources and Historic Preservation

- 1) Should ground disturbing or other activities related to the proposed plat result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State DAHP. Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

Light and Aesthetics

- 1) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby properties and roads.
- 2) Any signage for the proposed use will require a sign permit as per KCC 17.70 and may not be located in State or County right-of-way.
- 3) All outdoor advertising or motorist signing shall comply with state criteria. It is the applicant's responsibility to contact Trevor McCain of the WSDOT Headquarters Traffic Office at 360-705-7282 for requirements.
- 4) A landscaping plan shall be provided to Kittitas County CDS for review and approval prior to issuance of the first building permit. This plan shall include vegetative buffer/vegetative barrier on the east side of the property to decrease noise impacts to the neighboring residences. Additionally, the subject property is located adjacent to Interstate 90 with a federally-designated National Scenic Byway known as the Mountains to Sound Greenway. The landscaping plan shall provide a buffer of conifer trees along the southwest property line that is adjacent to Interstate 90. Final approval of any and all building permits will not be granted until verification that the approved landscaping has been installed in conformance with the County approved landscaping plan.
- 5) All required landscaping shall be permanently maintained in a healthy growing condition by the property owner or the property owner's designee. The property owner shall remove and, if required to meet the County approved landscaping plan, shall replace any unhealthy or dead plant material immediately or as the planting season permits.

Utilities

- 1) Installation of new underground storage tanks must meet the requirements of the state underground storage tank regulations (WAC 173-360A). It is the applicant's responsibility to contact the Department of Ecology for requirements.

Noise

- 2) Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby properties.

Air

- 1) A dust control plan shall be developed and implemented during construction of the project.
- 2) During construction, reduction of construction caused dust and airborne contaminants shall be reduced through the use of water or other Department of Ecology approved methods.

This MDNS is issued under WAC 197-11-350 and KCC Title 15. 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 provision of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 pm, January 28, 2020).

Responsible Official: 
Lindsey Ozbolt

Title: Planning Official

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7506

Date: January 13, 2020

Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services office at 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 pm, January 28, 2020.

**Notice of SEPA Action
Love's Travel Stop Facility
SE-19-00014**

NOTICE IS HEREBY given that pursuant to WAC 197-11-340 and 43.21C RCW, Kittitas County Community Development Services did on January 13, 2020 issue a Mitigated Determination of Non-Significance (MDNS) on the proposed Love's Travel Stop Facility submitted by Love's Travel Stops & Country Stores, Inc. The proposal is to construct the travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. Tax parcel 778834, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor's map number 20-13-02030-0009.

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. The complete application file is available to the public on request or may be viewed at Kittitas County Community Development Services at 411 North Ruby St, Suite 2 Ellensburg, WA 98926, or on the county website. <http://www.co.kittitas.wa.us/cds/land-use/default.aspx> (Miscellaneous SEPA Applications, file number SE-19-00014).

Any action to set aside, enjoin, review, or otherwise challenge such action on the grounds of non-compliance with the provisions of Chapter 43.21C RCW (State Environmental Policy Act) and pursuant to Chapter 15A.07.010 KCC, may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm, January 28, 2020.

Direct question regarding this proposal to:

Planning Official: Lindsey Ozbolt
411 N. Ruby St. Suite 2
Ellensburg, WA. 98926
509-962-7506
lindsey.ozbolt@co.kittitas.wa.us

Date: January 13, 2020

Publish Daily Record: January 13, 2020 & January 20, 2020

Publish NKC Tribune: January 16, 2020

Appeal Period Ends: January 28, 2020

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509)925-1414
Fax (509)925-5696

ORDER CONFIRMATION

Salesperson: MEGAN WOODRUFF

Printed at 01/08/20 13:46 by mwo18

Acct #: 84329

Ad #: 1983536

Status: New WHOLD

KC COMMUNITY DEVELOPMENT SERVICES
411 N. RUBY ST, SUITE 2
ELLENSBURG WA 98926

Start: 01/13/2020 Stop: 01/20/2020
Times Ord: 2 Times Run: ***
STD6 2.00 X 7.57 Words: 413
Total STD6 15.14
Class: 0001 LEGAL NOTICES
Rate: LEG2 Cost: 264.34
Affidavits: 1

Contact: STEPH MIFFLIN

Phone: (509)962-7506

Fax#:

Email: lindsey.ozbolt@co.kittitas.w

Agency:

Ad Descrpt: SEPA SE1900014 LOVE'S TRA

Given by: LINDSEY OZBOLT

P.O. #: SE1900014/L OZBOLT

Created: mwo18 01/08/20 13:39

Last Changed: mwo18 01/08/20 13:46

PUB ZONE EDT TP RUN DATES
DR A 97 S 01/13,20
DRWN LEG2 97 S 01/13,20

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Lindsey Ozbolt
Name (print or type)


Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509)925-1414
Fax (509)925-5696

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN WOODRUFF

Printed at 01/08/20 13:46 by mwo18

Acct #: 84329

Ad #: 1983536

Status: New WHOLD WHOI

Notice of SEPA Action
Love's Travel Stop Facility
SE-19-00014

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Direct question regarding this proposal to:

Planning Official: Lindsey Ozbolt
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lindsey.ozbolt@co.kittitas.wa.us

Date: January 13, 2020

Publish Daily Record: January 13, 2020 & January 20, 2020

Publish NKC Tribune: January 16, 2020

Appeal Period Ends: January 28, 2020

From: [Terry Hamberg](#)
To: [Lindsey Ozbolt](#)
Subject: Re: Notice of SEPA Action SE-19-00014
Date: Thursday, January 09, 2020 6:53:45 PM
Attachments: [Tribune Web Banner sm.jpg](#)

CONFIRMATION RECEIPT:

Thank you for sharing your Notice with Upper Kittitas County citizens. We have received your email and your notice will be published as requested.

Sincerely,
Terry Hamberg
Publisher



Northern Kittitas County Tribune
P.O. Box 308
Cle Elum, WA 98922
(509) 674-2511
fax: (509) 674-5571
tribune@nkctribune.com

On Jan 9, 2020, at 10:34 AM, Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us> wrote:

Good afternoon.

Please publish the attached Notice of SEPA Action SE-19-00014 on Thursday January 16th. I have attached both the pdf and word versions.

Best regards,

Lindsey Ozbolt
Planning Official
Kittitas County Community Development Services
411 N. Ruby St., Suite 2 | Ellensburg, WA 98926
(509) 962-7046 | lindsey.ozbolt@co.kittitas.wa.us

<SE-19-00014 Loves Notice of SEPA action legal.docx><SE-19-00014 Loves
Notice of SEPA action legal.pdf>