



**COMMUNITY DEVELOPMENT DEPARTMENT
501 N. Anderson St., Ellensburg, WA 98926**

**State Environmental Policy Act (SEPA)
MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)**

Proponent: Tom Abbott, Agent for Owner

Date: December 20, 2021

Description: A SEPA Environmental Checklist for a proposed 293-lot long plat for residential and single family home construction. Lots will range in size from 6,000sf to 10,932sf, most of which are located on Parcel ID #17825. The proposed plat can be accessed from Bull road in three locations, with multiple interior local access roads serving the lots within the development. The proposed layout also includes several tracts to be left open for parks or open space. The current zoning on Parcel ID #17825 is Residential Suburban (R-S), and the current zoning on Parcel ID #17827 is Industrial Light (I-L).

Location: This proposed project is located on two parcels, Parcel ID #17825 (64.14 acres), and Parcel ID #17827 (41.18 acres), which are north of I-90, and East of Bull Rd.

Lead Agency: City of Ellensburg

File #: P21-126

The City of Ellensburg acting as lead agency for this proposal, has determined that the proposal, as mitigated, 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 upon request.

The lead agency for this proposal has determined that certain **mitigation measures** shall be necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures herein will result in the issuance of a Determination of Significance (DS) for this project. **The mitigation measures include the following conditions which shall apply based on project specific analysis:**

1. The applicant shall comply with all requirements outlined in the City of Ellensburg Public Works division memo, dated 10/18/2021, regarding roadway and access, water, sewer, stormwater and traffic.

2. The applicant shall comply with all requirements outlined in the City of Ellensburg Fire Marshall division memo, dated 11/2/2021, regarding IFC and City of Ellensburg code requirements.
3. The applicant shall comply with all requirements outlined in the City of Ellensburg Energy Services division memo, dated 8/6/2021, regarding electric utilities.
4. The applicant shall comply with all requirements outlined in the City of Ellensburg Natural Gas Division memo, dated 7/26/2021, regarding gas utilities.
5. The applicant shall develop civil and building plans that address the storm water requirements of both the City of Ellensburg and the State Department of Ecology. These shall address any potential for flooding as may be required by Ellensburg City Code Chapter 15.630. Such plans shall be approved by City Staff prior to construction.
6. The applicant shall comply with all requirements included in the Critical Area Determination, P21-127.
7. The applicant shall comply with all requirements outlined in the Washington State Department of Transportation memo, dated 10/19/2021, regarding the project's close proximity to I-90.
8. The applicant shall comply with all requirements outlined in the Washington Department of Fish and Wildlife (WDFW) memo, dated 11/9/21. Requirements include continued communication with WDFW regarding the placement of infrastructure near critical areas, and to obtain a Hydraulic Project Approval permit from WDFW before the project commences.
9. Per the Department of Ecology email dated 10/15/2021, the applicant shall obtain an NPDES permit with the Department of Ecology, and comply with the additional requirements outlined in the memo pertaining to storm water and water quality.
10. Per the request of the Department of Archaeology and Historic Preservation, memo dated 10/6/2021, the applicant shall complete an archaeological survey of the property and send the completed report to all requesting parties, and the City, for review and approval prior to project implementation.
11. In the event that previously unknown cultural resources or human remains are encountered during the implementation of the project, work in the vicinity of the discovery shall be halted and a professional archaeologist, the Washington State DAHP, and all affected tribes should be consulted before proceeding.
12. Requirements of all City Departments, the Fire District, all utility providers, and affected agencies must be satisfied, as outlined in adopted City Codes and other regulatory documents.

13. If the applicant wishes to add to, or change, the proposed scope of work included in this application, a new SEPA proposal and/or addendum will need to be submitted to address any changes.

This **Mitigated Determination of Non-significance (MDNS)** is issued using the standard MDNS process under WAC 197-11-350.

Responsible Official: Kirsten Sackett
Title: Community Development Director
Address: City of Ellensburg
Community Development Dept.
501 N. Anderson St.
Ellensburg WA 98926
Phone: (509) 962-7232 Fax: (509) 925-8655

Date: 12-20-21 **Signature:** Kirsten Sackett

Appeals: Following the issuance of this MDNS, is a 14-day appeal period. Pursuant to ECC 15.270.200, appeals must be submitted as required by the City of Ellensburg's administrative appeal procedures for Type II permits per ECC 15.230.040(B), and shall be made to the Hearing Examiner and meet all requirements contained in Chapter 15.230 ECC.



CITY OF ELLENSBURG

Public Works Department
501 N. Anderson St.; Ellensburg, WA 98926
Ph: (509) 962-7230 Fax: (509) 962-7127

Memorandum

Date: October 18, 2021
To: Stacey Henderson, Senior Planner
From: Craig Jones, Development Coordinator *CJ*
Through: Derek Mayo, City Engineer *DEM*
Re: Bull Rd – Mallard Meadows SEPA – P21-126

The following are the City Public Works SEPA comments for the proposed Mallard Meadows on the east side of Bull Rd N of I-90.

The applicant can view the City of Ellensburg's Development Standards on the City's website for more information. <http://www.ci.ellensburg.wa.us/index.aspx?NID=339>

At time of civil plan review, Staff will work with the developer's engineer regarding the specific issues related to frontage and utility improvements.

Water:

The water main available to serve this development is a 12" Ductile Iron main that runs in Bull Rd. There are no existing stubs, all future connections will be hot taps on the main. The developer will need to build an 8" water main on all the proposed interior roads. Each lot will need a separate water service. The maximum number of lots that can be served by one water connection is 40 lots. Looping of an interior water main may be needed depending on fire flows.

Fire hydrants shall be placed in the proposed development per the Fire Marshal's requirements. Developer's engineer may be required to verify that fire flow capacity will meet the necessary requirements.

Specific issues related to water main and meter locations will be addressed at project civil submittal.

Sewer:

The sewer main available to serve this development is a 12" PVC main in Bull Rd. There are no existing stubs, all future connections will need to be made at a manhole or by adding a new manhole. The developer will need to install 8" sewer mains on the interior roads and side sewer stubs to each lot.

Specific issues related to sewer main and side sewer construction will be addressed at project civil submittal.

Roadway and access:

This project will trigger the requirement for half street improvements along the Bull Rd frontage. The interior roads will need full street improvements and have adequate turn-around that meet Development Standards. Phase 3 loop road will need access added to the north or south. Bull Rd is classified as a collector street and will be a 64' right of way at full build out with a completed turn-around at I-90. City comp plan indicates the east/west road will also need to be a collector street that extends to the far east of the property. The horizontal curve of this road needs to meet AASHTO requirements for 35mph design speed. Street improvements include concrete curb/gutter, sidewalks, street lighting, permanent signage, asphalt, asphalt markings, gravel base, storm drainage, and other items associated with minimum public improvements consistent with Public Works Development Standards. Bull Rd is on the Active Transportation route and will need to include additional width to accommodate the future bike lane. Under the Land Development Code the sidewalks will need to be separated from the curb. Existing power poles may need to be relocated to accommodate these frontage improvements.

Specific issues related to roadway and access construction will be addressed at project civil submittal.

Storm water:

There is no storm system available for a direct discharge. The existing road side ditches will need to be conveyed across the frontages of the property. All storm facilities will need to be designed so they will not be inundated with ground water. Your engineer will need to verify groundwater during peak irrigation season to confirm the project will not be effected by it.

The applicant shall use the current Stormwater Management Manual for Eastern Washington, or approved equivalent for reference in design of stormwater treatment and flow control for post construction requirements for new development and redevelopment. The design shall at a minimum use the following design storms, or as recommended for the proposed BMP, whichever is greater. Treatment shall be designed for the first ½" of rainfall on the property, and storm drainage detention on a 10 year storm event (1.2" of precipitation/24 hours) and retention facilities based on a 25 year storm event (1.6" of precipitation/24 hours). Specific issues related to storm water will be reviewed at time of civil plan submittal.

The applicant's design engineer should determine groundwater elevations in the vicinity of proposed storm water treatment and flow control facilities. The water surface elevation needs to be utilized in the facility designs and should be verified when groundwater is at its highest. Typically the groundwater in the Ellensburg area is elevated from April 15th through October 15th. However, groundwater on the subject site may not be associated with seasonal irrigation and could crest at another time during the year.

The following comments are from the City Stormwater Department;

1. If the site is an acre or greater the developer will need to make Notice of Intent (NOI) with Ecology and apply for a Stormwater General Construction Permit months in advance of construction.
<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>
2. The Ecology permit requires a Stormwater Pollution Prevention Plan (SWPPP) be submitted with the plan set and be reviewed by the City of Ellensburg Stormwater Utility along with a set of temporary sediment erosion control plans (TESC).
3. In addition, Ecology now requires an Operation and Maintenance (O&M) Plan be submitted to the City for review and retainage. The O&M Plan must address the long term maintenance of the stormwater

facilities (swales) that will be constructed onsite to deal with the flow control and treatment requirements of Core Element 5&6 in the Eastern Washington Stormwater Management Manual.

Here is a link for additional information from Ecology;

<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit/eCoverage-packet>

Other issues:

During civil plan review, Public Works establishes the preliminary addressing plan, the developer will need to work with the Post Office to establish the mail delivery routing plan and mailbox locations. The Post Office requires the use of metal Collection Box Unit style mailboxes.

The developer is required to obtain all other permits (HPA if required, DOE construction site grading permit, etc.) that may be required as a result of plat development.

A traffic Impact Analysis (TIA) has been completed by the developer. The TIA showed that Bull RD and Mountain View Ave will fall below the City's level of service by phase 4. The City would not be able to issue permits for this phase or phases beyond this phase until funding has been secured or construction of required improvements have been completed to bring that intersection into compliance. This project may be required to pay impact fees. You can view the traffic impact fees online at <http://www.codepublishing.com/wa/ellensburg/>.

A Utility Extension Agreement will need to be completed by the Developer and City prior to civil plan review for Phase 4 or annexation of the property into the City.

Additional utility easements may be required for any proposed utility outside of the right of way. Specific issues will be addressed at civil plan submittal.

Any phasing plans for the project will need to be reviewed and may have additional requirements associated with utilities or temporary turn around.

Irrigation water will need to comply with Irrigation District requirements, and be continued through the site to downstream users.

Landscape plans will need to be included for review of any conflicts with existing or proposed utilities.

Latecomer's fees will be established along Bull Rd for water and sewer. These fees will be included in the Public Works permits for this development.

Proposed road names will go through a review process that includes the entire Kittitas County to eliminate any duplicate or similar sounding road names.

City and County will work together on the civil plan review for this development.

Cc File 21-084



**Know what's below.
Call before you dig.**



Fire Marshal
509-856-4455 cell
509-933-7241 office
prevention@kvfr.org

Fire Marshal SEPA Comments

Project: Mallard Meadows Long Plat-Bull RD
Permit#: P21-126
Occupancy Type: R
Date: 11/2/2021

Comments:

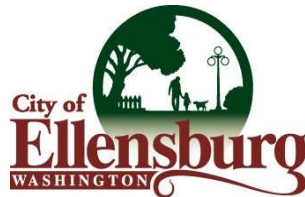
- 1) Must meet 2018 IFC and City of Ellensburg Code requirements at the time of construction for the occupancy classification and construction type. Will be required to meet current IFC and City of Ellensburg Code anytime there is a change in occupancy classification.
- 2) Standard Addressing per City Code requirements to include ADU units if applicable.
- 3) Fire dept. access and turnarounds per IFC and Appendix D. Fire department access roads shall be a minimum of 20' wide, access roads shall be a minimum of 26' wide in the vicinity of fire hydrants or meet the City Street Standard if greater. It may be required to post "No Parking Signs" on one or both sides of the fire access road, depending on width. Fire dept. access roads cannot exceed 150' in length without an approved turnaround per IFC Appendix D. Road surfaces must be rated for a minimum of 75,000 lbs. or City of Ellensburg street standard if it requires a higher rating.
- 4) The North end of Road D/TR 969 appear to exceed 150' without a turnaround. If the distance from the intersection to the end of TR 969 exceeds 150' a turnaround meeting IFC appendix D will be required.

- 5) Per IFC Appendix D107.1 two access roads are required based on the number of lots. D107.2 Remoteness, requires that the two access roads be a minimum of half of the maximum diagonal of the overall project area when measured in a straight line between the two access roads.
- 6) As discussed during the pre-application Zoom meeting, Phase 3 will be required to have a second access road to serve the looped road. Preferably in the S/SE corner.
- 7) The site would require additional hydrants meeting the requirements of IFC Appendix B and C and COE code for spacing, quantity, location, and type. Hydrants are required to be spaced every 400-600' on an approved route of travel. Be aware that under COE code if any of the access roads are identified as major or minor arterials, fire hydrants on the opposite side of the street aren't credited.
- 8) Fire flow requirements are a minimum of 1500 gpm for residential occupancies.
- 9) Any phasing of the project would be required to meet IFC requirements for Fire Dept. access, turnarounds, and water supply.

Thank you,



Joe Delvo
Fire Prevention Captain
Fire Investigator, IAAI-FIT
Kittitas Valley Fire & Rescue
400 East Mountain View Ave.
Ellensburg, WA
Phone: 509-933-7241
Cell: 509-856-4455
Fax: 509-933-7245
prevention@kvfr.org



CITY OF ELLENSBURG

Energy Services Department

501 North Anderson Street; Ellensburg, WA 98926

Ph: (509) 962-7124 Fax: (509) 925-8662

www.ci.ellensburg.wa.us

Memorandum

Date: August 6th, 2021

To: Shannon Johnson, Senior Planner

From: Tyler Goeden, Project Engineer

Re: P21-082 Bull Road Long Plat Pre-Application

The following are the City of Ellensburg Electric Utility (City Light) comments for the P21-082 Bull Road Long Plat Pre-Application, located on the east side of Bull Road, between Umptanum Road & I-90.

Electric:

Puget Sound Energy (PSE) currently has a high voltage 600 Amp overhead feeder pole line running north-south on the east side of Bull Road. There is at least one communication company that is attached to the PSE pole line as well. The frontage improvements required as part of this proposed development may require alteration of the PSE pole line, including the communication company. Sidewalks, or other road improvements, new roads, etc., may require pole relocations. Street lighting will be required along the frontage improvements, and throughout the plat. These street lights may also conflict with the PSE pole line.

PSE also has an underground termination, which has high voltage 200A underground distribution crossing through the plat, from approximately lot 20 of phase 1 to lot 24 of phase 3. The underground distribution reaches a PSE pole on the east side of the development, terminates up the pole, and has a span of high voltage 200A overhead distribution that goes 1 span south to another PSE pole, which has 3 transformers on it and appears to serve an irrigation pump service. If the irrigation pump service needs to stay active, it may be possible to cut it over from PSE power to City Light power, and is something that will need to be figured out prior to being able to build residences that are in conflict with this PSE underground line.

Any work with PSE, or communication companies about altering, or extending their facilities, is solely between the Developer and each utility company. City Light will not serve as the 'middle man' between the Developer and any utility company, but City Light will provide CAD designs to applicable utilities when it has completed the CAD design(s).

City Light is currently installing a new empty conduit system along the east side of Bull Road, from I-90 to Kittitas Highway. City Light will need to have vaults installed at certain intervals,

with the empty conduit being exposed, intercepted, & extended into the new vaults. High voltage 600 Amp underground feeder lines will need to be extended from Mountain View Ave down to the Developers property, using this new duct & vault system. The high voltage 600 Amp underground feeder lines will need to be terminated in above ground switch cabinets, which can then be used to extend high voltage 200 Amp underground distribution lines that will serve as the source of power for the Developers proposed plat. These lines will need to extend throughout the plat, and to the extents of the plat.

There are a few lots, such as lots 26 & 35 in phase 1 that would need to be discussed with City Light as to which side of the lot the front of the house will be facing. City Light requires all meters to be accessible 24/7, and cannot be placed behind fences, in backyards, or other situations where City Light cannot safely and easily access the meters. Lots 26 & 35 for example need to be figured out by both Developer & City Light as to where would be the best location for a transformer, handbox, or conduit stub.

The City Electric Utility must adhere to the different regulations of the National Electric Code (NEC), National Electric Safety Code (NESC), Washington Administrative Code (WAC), among others. These regulations include minimum clearances from our transformers to any combustible structure (10 feet), and clearances from our transformers to any non-combustible structure (3 feet). The City Electric Utility must have 24/7 full access to our electrical system for proper maintenance & operations from a street or alley. There are also minimum clearances we must maintain between our electrical facilities to other utilities, such as water, sewer, gas, & communications.

Locations for transformers and junction boxes will need to be determined where they are protected from vehicle traffic and where they will be in a utility easement, typically a 10 foot utility easement along the frontage of each lot throughout the plat. Communications generally install with the electric utility and may have similar considerations for space.

As mentioned previously in this comment letter, a City Light duct & vault system will be installed behind walk, along the entire frontage of the Developers property. This duct & vault system will need to be coordinated with the frontage improvements & landscaping plans. City Light does not allow trees, or any other plant large enough to damage our duct & vault system, or inhibit operation or maintenance of our facilities in the future. Proper clearances need to be maintained between City Light facilities and any proposed landscaping.

Street lights are not shown on the drawing and since these are public streets, they will need to be part of the civil plans submitted to Public Works and we will come up with a design to serve them as part of this plat. This includes street lighting not only in the plat, but along the frontage of Bull Road.

All of the work mentioned previously will be at Developers expense.

Lastly, as mentioned in the pre-application meeting, phase 4 would require the Developer to agree and sign an 'Outside Utility Agreement', since it is located in the County, although it is inside of the Cities Urban Growth area, so it can be served by City Light as well.

Applicant will need to complete a Residential Plat Development Application, which is also available on the City Website,

<https://ci.ellensburg.wa.us/DocumentCenter/View/11298/Residential-Plat-Application> .



Public Works & Utilities Department

Natural Gas Division

501 North Anderson Street; Ellensburg, WA 98926

Ph: (509) 962-7124 Fax: (509) 925-8662

www.ci.ellensburg.wa.us

Memorandum

Date: July 26, 2021
To: Shannon Johnson, Community Development
From: Darin Yusi, Gas Engineer *DY*
Re: Proposed Mallard Meadows Development Project – P21-082

The following are the City of Ellensburg Gas Division comments for the proposed Mallard Meadows Development project located off Bull Road, just North of Interstate 90.

Natural Gas:

There is a natural gas utility map attached showing the existing gas main line. There is a 4-inch main that has recently been extended down Bull Road that would be used to serve the proposed development.

The proposed development would be required to extend the gas main throughout and provide service stubs to each lot. The main line on the two southern east/west main roads will need to be extended all the way east to the extents of the property and if not within right-of-way, they will need to be within an easement. It is preferred that the mainline be shown on the civil plans to help in planning and determining issues that may come up as the project progresses. No details will be needed, just the mainline shown where installation is being proposed.

It is also very important that service stub locations are determined at an early stage. Service lines and meters cannot run through backyards or be behind fences. For example: Which road the service line for Lot 26 comes from will most likely be determined by which road the house fronts off. Similar instances like Lots 110, 111, 112 will need to be discussed as the projects moves forward.

The applicant is responsible for exposing the main line for connection, providing trenching, smooth sand bedding, and backfill at the specified depth and required utility separation as indicated on detail sheets G-12 and G-13 attached. City Gas Division crews will provide the materials and perform the installation in the developer provided trenches.

To serve the homes with natural gas, the applicant can apply for service through applications found on the City's website or at City Hall. There are also natural gas rebates for new construction at this time. These rebates are reviewed annually and may not be available in the future.

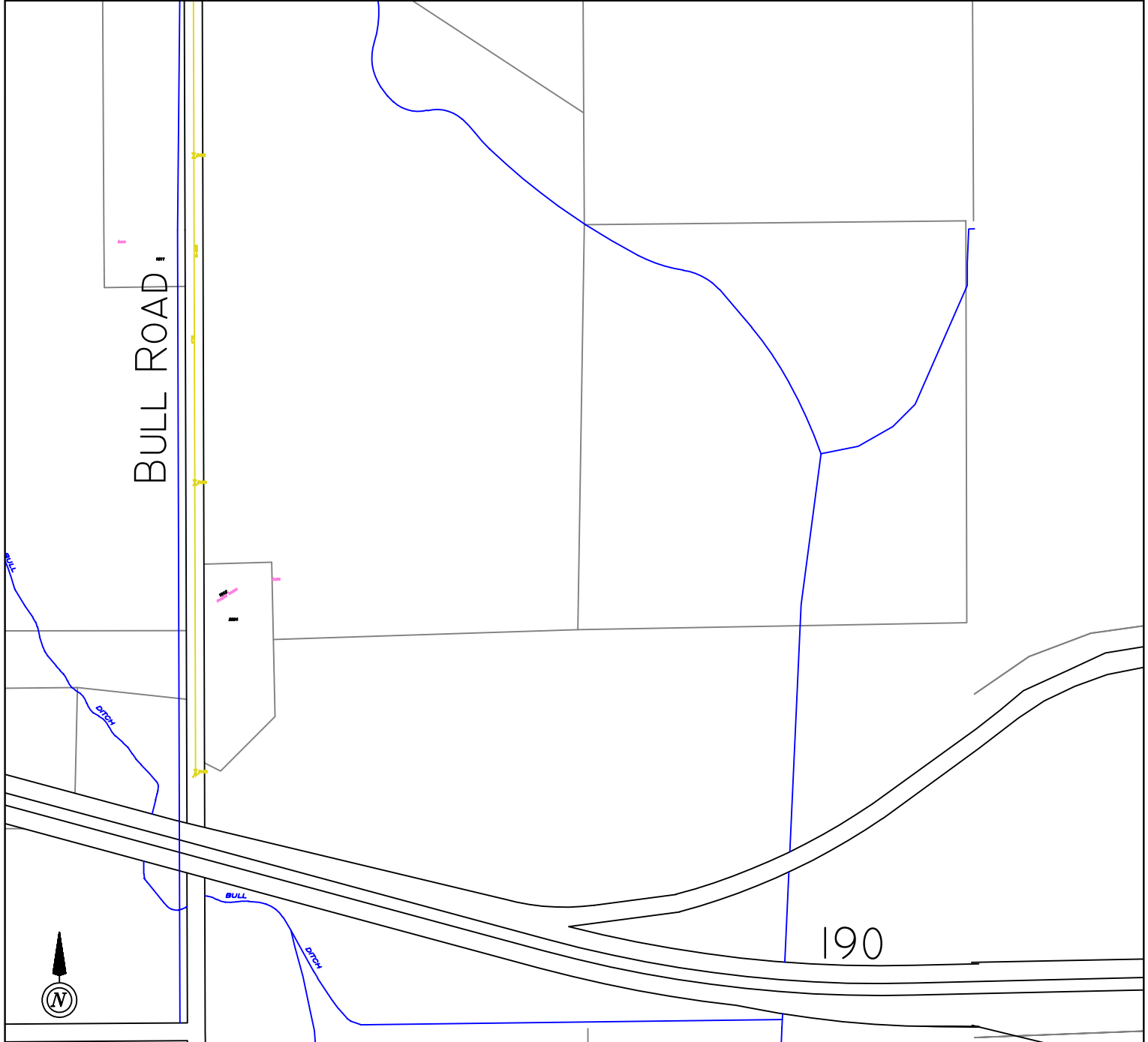
Any private access roads that serve multiple lots will require a 10' access and utility easement. In addition to these easements, a 10' access and utility easement is being requested between Lots 15 and 16 for a connection to the northern development and to create a looped feed system. As lot configurations change, this easement may need to be moved accordingly.

It was also discussed during the meeting that the parcel to the south (future development tract) would be divided up for industrial uses. Without knowing details of how this property will be divided or what industrial uses may develop, it will be difficult to determine what size and where to add stubs across the road. Unless more information is given, the Gas Utility will not be stubbing for the southern



CITY OF ELLENSBURG
NATURAL GAS DIVISION
UTILITY MAP REQUEST INFORMATION

PROJECT ADDRESS	DATE
BULL ROAD - SOUTH END DEVELOPMENT	07/16/2021
CONTACT NAME	WORK PHONE
CHAD BALA	509-607-0617



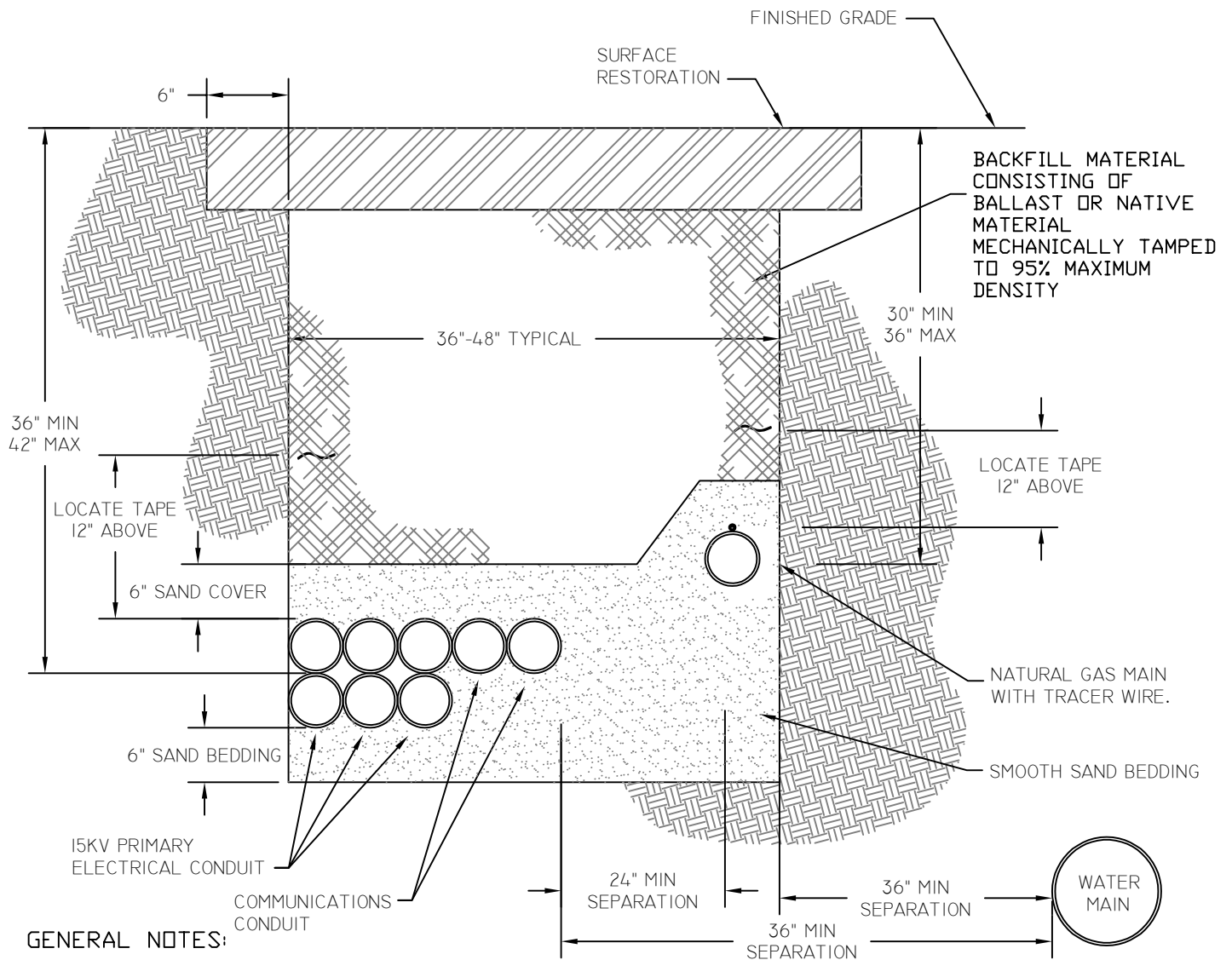
QUESTIONS: DARIN YUSI 509-962-7229

DISCLAIMER:

THE CITY OF ELLENSBURG ENERGY SERVICES DEPARTMENT CANNOT VERIFY THE ACCURACY OF THE UTILITIES REPRESENTED ON THIS PLAN. THEY ARE DISPLAYED FOR EASE OF PLANNING AND INSTALLATION AND ARE BASED UPON BEST INFORMATION AVAILABLE. CONTRACTORS AND DEVELOPERS SHOULD REFER TO CIVIL PLAN FOR MOST CURRENT DESIGN REVISION AND CALL 811 BEFORE YOU DIG.



Know what's below.
Call before you dig.



GENERAL NOTES:

1) THE MINIMUM TRENCH DEPTH REQUIRED FOR 15KV PRIMARY ELECTRICAL CONDUIT IS 36", MAXIMUM OF 42". THE MINIMUM TRENCH DEPTH REQUIRED FOR GAS MAINS IS 30", MAXIMUM OF 36". TRENCH DEPTH MIN / MAX CAN CHANGE WITH PRIOR APPROVAL FROM ENERGY SERVICES

2) BACKFILL SHOULD NOT BE USED IF IT CONTAINS LARGE ROCK, PAVING MATERIALS, CINDERS, LARGE OR SHARPLY ANGULAR SUBSTANCE OR CORROSIVE MATERIALS WHICH CAN DAMAGE CONDUITS, CABLES, GAS PIPES OR OTHER SUBSTRUCTURES OR PREVENT ADEQUATE COMPACTION OF FILL OR CONTRIBUTE TO CORROSION OF CONDUITS, CABLES OR OTHER SUBSTRUCTURES.

3) ELECTRICAL CONDUIT AND GAS MAIN MAY BE IN JOINT TRENCH WITH WATER MAIN PROVIDED A MINIMUM SEPARATION OF 36" IS MAINTAINED. THE UTILITY MAY REQUIRE STAKING PRIOR TO BACKFILL TO MAINTAIN REQUIRED SEPARATION. NO UTILITY WILL BE JOINT TRENCH WITH SEWER OR PLACED OVER THE TOP OF THE GAS MAIN OR SERVICE LINE.

4) SMOOTH SAND BEDDING IS REQUIRED FOR GAS MAINS AND PRIMARY ELECTRICAL CONDUITS, 6-INCHES BELOW AND 6-INCHES ABOVE. MAINTENANCE SAND MAY NOT BE USED AS SAND BEDDING.

REVISED 11-25-15



CITY OF ELLENSBURG
STANDARD PLANS & DETAILS

DISTRIBUTION TRENCH REQUIREMENTS

PLAN NO.

G-12

DRAWN BY: MIB

DATE: 07-19-01

UPDATED BY: JC

SCALE: NONE

industrial property at this time. If the parcel is divided and more information is known prior to the road and utilities being installed, the Gas Division will work with the applicant to provide stubs as necessary.

For any further questions or clarifications regarding these comments or the proposed project, please call the City Gas Division at 509-962-7124.

Remember to always call 811 (the One-Call Underground Utility Notification Center) prior to any excavation on private property or in the right-of-way.





COMMUNITY DEVELOPMENT DEPARTMENT

501 North Anderson Street, Ellensburg WA 98926

Land Use Permitting (509) 962-7231 Construction Permitting (509) 962-7239

Kirsten Sackett, Director

Phone: (509) 962-7232 Fax: (509) 925-8655 E-Mail: sackettk@ci.ellensburg.wa.us

CRITICAL AREA DETERMINATION CRITICAL AREAS MAY BE AFFECTED BY PROPOSAL

Date of Review Request: 9/23/2021

Date of Final Decision: 12/20/2021

Final Decision: Critical Areas May be Affected by Proposal

Project Applicant: Tom Abbott, Agent for Owner

Project File #: P21-127

Project Description: The applicant submitted a Critical Areas Form (a Type I Review) for a proposed 293-lot long plat for residential and single-family home construction. Lots will range in size from 6,000sf to 10,932sf, most of which are located on Parcel ID #17825. The proposed plat can be accessed from Bull Road in three locations, with multiple interior local access roads serving the lots within the development. The proposed layout also includes several tracts to be left open for parks or open space. The current zoning on Parcel ID #17825 is Residential Suburban (R-S), and the current zoning on Parcel ID #17827 is Industrial Light (I-L).

Project Location: This proposed project is located on two parcels, Parcel ID #17825 (64.14 acres), and Parcel ID #17827 (41.18 acres), which are north of I-90, and East of Bull Rd.

Rationale for Approval- Critical Areas May be Affected by Proposal:

1. ECC 15.650.020(A) states "All critical areas located within 300 feet of the project area that have been designated by the city and are shown on city, state, or federal government agency maps and/or reports shall be addressed in a critical area report for habitat conservation areas." The applicant provided such.
2. Lyle Creek, a Type F water, is located along the west side of Bull Road, on the opposite side from the proposed development. Per the Critical Area Report provided, this separation by an existing paved county road means the 50' buffer does not encroach onto the site.
3. Per a memo provided by Washington Department of Fish and Wildlife during the SEPA public comment period (P21-126), dated 11/9/2021, there appears to also be an

unnamed tributary that contributes to Wilson Creek, located on parcel ID #17826.

4. As such, considering items #2 and #3, the subject parcels fall under the Critical Area Ordinance, Ellensburg City Code (ECC) Chapter 15.650, pertaining to “Fish and Wildlife Habitat Conservation Area”.
5. A Critical Areas Report was submitted on September 8, 2021 by the applicant. Per the information provided in the report, a Category III wetland was located on parcel ID #17826, approximately 360’ east of the proposed project outside of the project area. This wetland has an associated buffer of 60’.
6. Per ECC 15.610.060(B)(6)(c), “Critical Areas May be Affected by Proposal.” States “If the director determines that a critical area or areas may be affected by the proposal, then the director shall notify the applicant that a critical area report must be submitted prior to further review of the project, and indicate each of the critical area types that should be addressed in the report. The director may use the following indicators to assist in determining the need for a critical area report:
 - i. Indication of a critical area on the city critical areas maps that may be impacted by the proposed activity;
 - ii. Information and scientific opinions from appropriate agencies, including but not limited to the Washington State Departments of Fish and Wildlife and Ecology;
 - iii. Documentation, from a scientific or other reasonable source, of the possible presence of a critical area; or
 - iv. A finding by a qualified professional, or a reasonable belief by the director, that a critical area may exist on or adjacent to the site of the proposed activity.
7. The applicant has submitted a Critical Area Report, Site Plan, Narrative, and clarifications to comments submitted during the SEPA process (P21-126), indicating that new development will have minimal impact on the two critical areas present. The applicant has also been notified of the required Hydraulic Project approval required through WDFW, and required NPDES permit required through the Department of Ecology. Thus, the proposed development, as indicated, may proceed as approved under ECC 15.610.060(B)(6)(c), “Critical Areas May be Affected by Proposal.”

FINAL DECISION

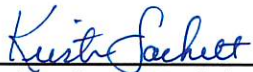
It has been determined that the proposed stream improvements are approved, pursuant to ECC 15.610.060(B)(6)(c)(ii), “Critical Areas May be Affected by Proposal”, with the following conditions:

1. The applicant shall comply with all requirements included in the SEPA Determination,

P21-126.

2. If the applicant wishes to add to, or change, the proposed scope of work included in this application, a new Critical Area Application shall be submitted to address any changes.
3. Best Management Practices shall be followed to ensure that all construction activity remains OUTSIDE the buffer zones of the identified wetlands to the South and West of the project site (within Tract A).
4. Temporary signs and fencing of the identified wetlands shall be adhered to as prescribed in ECC 15.620.030(F)(1):

The outer perimeter of the wetland and buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and is subject to inspection by the director prior to the commencement of permitted activities. The director shall have the authority to require that temporary fencing be placed on-site to mark the outer perimeter of the wetland and its associated buffer area. This temporary marking, and any required temporary fencing, shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.



Kirsten Sackett, Administrator

Dec. 20, 2021



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

October 19, 2021

City of Ellensburg Community Development Department
501 N. Anderson Street
Ellensburg, WA 98926

Attn: Stacey Henderson, Senior Planner

RE: P21-126 – Mallard Meadows Long Plat
I-90 MP 110.5 Lt – Bull Road vicinity

We have reviewed the proposed subdivision and have the following comments.

- The subject property is adjacent to Interstate 90 (I-90), a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. WSDOT has acquired all access rights to I-90. Direct access to the interstate is prohibited.
- We have reviewed the project's Traffic Impact Analysis (TIA) and concur with the study's findings and recommendations with regard to the I-90 Exit 109 ramp terminals.
- I-90 is an existing facility and the proponent will be generating a more noise-sensitive land use. The proponent and future residents should be aware this is an area with existing traffic noise. They should also expect traffic noise to continue to grow into the future. It is the developer's responsibility to dampen or deflect any traffic noise for this development.
- Any proposed lighting must be directed down towards the site and away from I-90.
- Stormwater and surface runoff generated by the proposed project must be retained and treated on site. Any discharge into I-90 right-of-way requires an approved WSDOT Utility Permit.
- Any outdoor advertising or motorist signing considered for this project will need to comply with state criteria. The proponent may contact Trevor McCain of the WSDOT HQ Traffic office for specifics at (360) 705-7282.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding this letter, please contact Jacob Prilucik at (509) 225-0637.

Sincerely,

Paul Gonseth, P.E.
Region Planning Engineer

PG: jjp

cc: SR 90, File #2021_008



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

November 9, 2021

Stacey Henderson
Community Development Department
City of Ellensburg
501 N. Anderson Street
Ellensburg, WA 98926

SUBJECT: WDFW COMMENTS ON P21-126 MALLARD MEADOWS MDNS

Dear Ms. Henderson,

Thank you for the opportunity to comment on the proposed Mallard Meadows project and for including Washington Department of Fish and Wildlife's (WDFW) concerns about the irrigation diversion in Lyle Creek within the mitigation measures.

In our October 19 letter, we also discussed Road A, toward the southern end of the project area, that will likely result in a new water crossing over the Unnamed Tributary to Wilson Creek (not an irrigation ditch as shown in the plans) and its proximity to wetland buffers. This crossing should be designed using WDFW's [Water Crossing Design Guidelines](#) and will require a Hydraulic Project Approval from WDFW.

When reviewing the site plan, it appears the stormwater treatment pond and portions of Road A may be close to, or within the wetland buffer area. WDFW recommends providing additional clarity for the location of infrastructure as it pertains to critical areas and the proposed plans to preserve the functions and values associated with them. We further recommend that the wetland buffers associated with Wetland A and the Unnamed Stream be protected and enhanced where possible to maximize the functions and values of these critical areas.

Thank you again for the opportunity to comment and please let me know if there are any questions or comments we can answer. I can be reached by phone at (509) 961-6639 or email at Jennifer.nelson@dfw.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Nelson". The signature is written in a cursive, flowing style.

Jennifer Nelson
Fish and Wildlife Biologist



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

October 15, 2021

Stacey Henderson
City of Ellensburg
Community Development Dept.
501 N. Anderson Street
Ellensburg, WA 98926

Re: SEPA Register 202105424, P21-126

Dear Stacey Henderson:

Thank you for the opportunity to comment on the Pre-Threshold Consultation for the Mallard Meadows long plat of two parcels of 105.32 acres into 293 lots, proposed by Chad Bala. We have reviewed the environmental checklist and have the following comment.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Wendy Neet** at the Dept. of Ecology, (509) 454-7277 or email wendy.neet@ecy.wa.gov with questions about this permit.

Stacey Henderson
October 15, 2021
Page 2

WATER RESOURCES

Under RCW 90.03.350, a Dam Safety construction permit is required for those dams or ponds that can impound a volume of 10 acre-feet or more of water or other liquids above ground level. The Mallard Meadows Long Plat project references the construction of a stormwater pond. If this pond can equal or exceed the above referenced criteria, you will need to apply for a dam construction permit. To determine if a Dam Safety construction permit is required for your project, the applicant must submit a set of construction plans to:

WA Department of Ecology
Dam Safety Office
P.O. Box 47600
Olympia, WA 98504-7600

For more information, please contact **Charlotte Lattimore** by e-mail at clat461@ecy.wa.gov or by telephone at (360) 407-6066.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

October 6, 2021

Stacey Henderson
Senior Planner—Historic Preservation
City of Ellensburg
501 N. Anderson St.
Ellensburg, WA 98926

In future correspondence please refer to:
Project Tracking Code: 2021-10-06834
Property: City of Ellensburg_Mallard Meadows Long Plat (P21-126)
Re: Survey Requested

Dear Stacey Henderson:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

Our statewide predictive model indicates that there is a moderate-to-high probability of encountering cultural resources within the proposed project area. This is due, in part, to the proximity of the proposed project area to Lyle Creek and the Yakima River, resources that may have been utilized by Native Americans and/or settlers in the past. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any



communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov

