



Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
(509) 574-2300 · 1-800-572-7354 · FAX (509) 574-2301 · www.co.yakima.wa.us

DATE: July 10, 2018

TO: Yakima County Public Services and Interested Agencies

FROM: Nate Paris, Environmental Project Planner

SUBJ: **SEP2018-00028/WET2018-00010 – Naches Segment 2 Levee Setback (Yakima County Public Services Water Resources Division)**
Final Determination of Non-Significance and Shoreline Exemption Permit

Enclosed is the Final Determination of Non-Significance for the proposal to setback an approximately 500' portion of the Naches Segment 2 Levee 100' landward from its current location along the Naches River. Yakima County, as the lead agency for this SEPA review, has determined that the project will not have a probable significant adverse impact on the environment and does not warrant the completion of an Environmental Impact Study (EIS). Also attached is a copy of the Yakima County Shoreline Exemption permit (Exemption Citations: WAC 137-27-040(p) and YCC 16D.03.07(5)) issued concurrently with this DNS. Please refer to the attached documents for information on conditions of approval, appeal option and more information regarding details of the project.

If you have any questions on the project or the appeal process, please contact Nate Paris at (509) 574-2300.

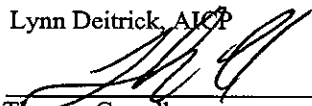
Encl.: Final Determination of Non-Significance
Agency Comments
Yakima County Shoreline Exemption Permit

FILE:
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Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.

FINAL
DETERMINATION OF NON-SIGNIFICANCE
(Notice of Action)

1. **Description of Proposal:** This Final DNS is for the relocation of a 500' segment of the Naches Segment 2 Levee. Due to damages sustained following flooding events in 2016/2017, Yakima County, with consultation with the U.S. Army Corps of Engineers, is proposing to set back the existing levee 200' landward (northeast) from its current location to reduce flood risks and increase fish and wildlife habitat. Approximately 550 cubic yards of rip rap and other embankment materials contained within the existing levee will be re-purposed to construct the new levee. The project is expected to be completed within the approved fish window (June 1 – September 30) for the Naches River.
2. **File Number:** SEP2018-00028
3. **Owner:** Yakima County Public Services
Attn: Troy Havens
Fourth Floor County Courthouse
128 N. Second St.
Yakima, WA 98901
4. **Location of Proposal:** The project is located on the south side of Long Lane, approximately 340' west from the intersection of Long Lane and McCormick Road; approximately 2 miles northwest from the City of Yakima along the Naches River. Parcel Identification Number: 181306-11012.
5. **Lead Agency:** Yakima County Planning Division
6. **Determination:** The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a careful review of the completed environmental checklist, and other information on file with the lead agency. This information (including all environmental documentation) is available to the public on request and can be examined in our offices during regular business hours or online at www.yakimap.com/permits. Environmental documents include the SEPA checklist, this threshold determination, and submittal materials.
7. **Comment and Appeal Information:** This Final DNS is issued under WAC 197-11-355. There is no further comment on it. You may appeal this SEPA threshold determination to the Hearing Examiner. You should be prepared to make specific factual objections. The 14-day SEPA appeal period ends at 4:00 p.m. on July 24, 2018. For information on the comment or appeal processes, or on other issues relating to this proposal, contact Nate Paris, Environmental Project Planner, at (509) 574-2300.
8. **SEPA Responsible Official:** Lynn Deitrick, AICP

9. **Designee:** Thomas Carroll
10. **Address:** 128 N. 2nd St.,
4th Floor Courthouse,
Yakima, WA 98901
11. **Date:** 07/10, 2018

FILE:

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**Washington State
Department of Transportation**

South Central Region
2609 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 2, 2018

Yakima County Planning Division
128 N. 2nd Street, 4th Floor
Yakima, WA 98901

Attention: Nate Paris - Planner

Subject: SEP2018-00028, Naches Segment 2 Levee Setback
US 12 milepost 196.67 right, McCormick Rd. Intersection

We support the proposed project and have the following comments.

- The proposed project is not adjacent to U.S. Highway 12 (US 12) but will access the highway via US 2 / McCormick Rd. intersection. US 12 is a partially-controlled limited access facility with a posted speed limit of 60 miles per hour. The Washington State Department of Transportation (WSDOT) has acquired all the access rights to the highway. All access to the project site is restricted to McCormick Rd.
- WSDOT owns parcel 18130523001, located southeast of the subject property. Construction activity or other encroachment on WSDOT-owned property is not permitted.
- It is the proponent's responsibility to keep US 12 free of any of their debris. Vehicles entering US 12 from the project site must be clean and free of foreign debris. Any material tracked onto the highway shall be promptly cleaned-up at the proponent's expense.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: jjp/mnk

cc: File #7, US 12
Les Turnley, Area 3 Maintenance Superintendent



Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
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VERN M. REDIFER, P.E., Director

COPY

July 10, 2018

Yakima County Public Services
ATTN: Troy Havens (Water Resources Division)
128 N. 2nd Street
4th Floor Courthouse
Yakima, WA 98901


RE: SEP2018-00028/WET2018-00010; Shoreline Exemption for Naches Segment 2 Levee Setback

Dear Mr. Havens,

We have received your submitted Shoreline Exemption request and have determined that your proposal, as described in that submittal, is exempt from the Substantial Development Permit requirements of the Yakima County Regional Shoreline Master Program. Your exemption is enclosed.

Additional permits and authorization from other public agencies may be required for this project. You are responsible for applying for and obtaining any additional permits (local, state, and/or federal) that may be required. If you have any questions, please contact Nate Paris, Environmental Project Planner, at (509) 574-2300.

Sincerely,



Thomas Carroll

Planning Section Manager Long Range/Environmental

Encl.: Exemption from Shoreline Permit
Attachment A: Shoreline Exemption Application

Copy: Eric Bartrand, Washington Department of Fish and Wildlife, Yakima
Lori White, Washington Department of Ecology, Yakima
Harold Maclean, Yakima County Assistant Building Official

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**EXEMPTION FROM
YAKIMA COUNTY REGIONAL SHORELINE MASTER PROGRAM
PERMIT REQUIREMENTS**

COPY

FILE No.: WET2018-00010

APPLICANT: Yakima County Public Services – Water Resources Division (Troy Havens)

PROPOSAL: Relocation of an approximately 500' section of the damaged Naches Segment 2 Levee 100' northeast to improve fish and wildlife habitat and reduce flood risk along the Naches River.

LOCATION: The project is located on the south side of Long Lane, approximately 340' west from the intersection of Long Lane and McCormick Road; approximately 2 miles northwest from the City of Yakima along the Naches River. Parcel Identification Number: 181306-11012.

EXEMPTION CITATION:

WAC 173-27-040(p)

A public or private project that is designed to improve fish or wildlife habitat for fish passage when all of the following apply:

- i. The project has been approved in writing by the department of fish and wildlife;
- ii. The project has received hydraulic project approval by the department of fish and wildlife pursuant to chapter 77.55 RCW; and
- iii. The local government has determined that the project is substantially consistent with the local shoreline master program. The local government shall make such a determination in a timely manner to provide it by letter to the project proponent.

YCC 16D.03.07(5)

Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance, and the replacement does not cause additional substantial adverse effects to shoreline resources or environment. The need for replacement resulting from a neglect of maintenance and repair is not considered a common method of repair. Replacement of nonconforming uses or facilities may also be subject to section 16D.03.26 (Nonconforming Uses and Facilities).

FINDINGS: This proposal is exempt from the substantial development permit requirements of the Yakima County Regional Shoreline Master Program because the setting back/replacement of the levee is authorized as "normal repair" due to the fact that the levee is being recycled and will be comparable in size, shape, configuration, location and external appearance and will improve fish and wildlife habitat in and along the Naches River.

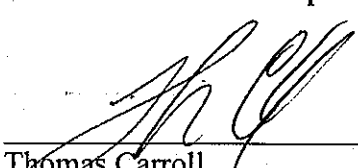
CONDITIONS:

1. Site development shall substantially conform to the submittal material in File No. SEP2018-00028/WET2018-00010, and as conditioned in this exemption.
2. The applicant shall submit for and obtain final approvals on all necessary Building & Fire Safety Division permits relevant to the construction of the proposed structure(s) prior to occupancy. Contact the Yakima County Public Services Department: Building & Fire Safety Division at (509) 574-2300.
3. All work shall be completed within THREE YEARS of the date of this exemption.
4. The owners, their grantees and assignees in interest hereby agree to the terms of the Compliance, Extension, Expiration, and Reinstatement requirements as outlined YCC 16B.07.050.

This exemption should be retained as evidence of compliance with the Yakima County Regional Shoreline Master Program but shall not be construed to exempt the project from permits that may be necessary from other agencies.

7/10/2018

Date



Thomas Carroll

Planning Section Manager Long Range/Environmental

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