



# 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](http://www.co.yakima.wa.us)  
VERN M. REDIFER, P.E., Director

DATE: July 27, 2018

TO: Robert Rasmussen, et al. and Interested Agencies

FROM: Nate Paris, Environmental Project Planner

SUBJ: **SEP2018-00034/WET2018-00013; SEPA Review and Shoreline Exemption for Bank Repair – Rasmussen et al.**  
Final Determination of Non-Significance

Enclosed is the Final Determination of Non-Significance for the proposal for the maintenance and repair of rock groins and connective armoring along a segment of shoreline/bank of the Naches River, previously permitted in 2011 under project numbers WET2011-00031 and SEP2011-00037, to provide protection of Elk Valley Road from the threat of continued lateral migration of the Naches River. We have determined that it will not have a probable significant adverse impact on the environment. Please review the attached documents for information on conditions of approval, and your appeal options.

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

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

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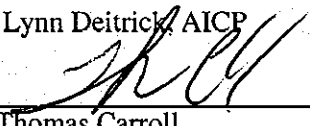
*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions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

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**FINAL**  
**DETERMINATION OF NON-SIGNIFICANCE**  
(Notice of Action)

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1. **Description of Proposal:** The Yakima County Planning Division has received a SEPA Checklist for the maintenance and repair of rock groins and connective armoring along a segment of shoreline/bank of the Naches River, previously permitted in 2011 under project numbers WET2011-00031 and SEP2011-00037 in which buried rock groins were installed to provide protection of Elk Valley Road (a private access road) from the threat of continued lateral migration of the Naches River. Since 2011, the permitted rock groins have been eroded and/or destroyed resulting in a reduction of bank stabilization and protection. The applicant is proposing to restore the damaged groins to their previously permitted state by bringing in large angular rock to replace dislodged (and irretrievable) rock groins – the largest of the rock will be placed at the downstream face (southern bank) at an upstream angle to allow overtopping flows to be directed away from the bank. The applicant is also considering the placement of tree revetments within the project area for fish/wildlife habitat improvement with consultation from the Washington State Department of Fish & Wildlife. Disturbance to the bank edge shall be minimal since no excavation will be done aside from burying the anchoring for the root wads. Please also note that this SEPA Review is being considered concurrently with an application for a Shoreline Exemption Permit as this project is considered exempt from a Substantial Shoreline Development Permit (WAC 173-27-040(b)).
  
2. **File Number:** SEP2018-00034/WET2018-00013
  
3. **Applicant:** Robert Rasmussen  
390 Elk Valley Lane  
Naches, WA 98937  
  
**Owner:** Earl A. Soushek  
22630 SE 268<sup>th</sup> Street  
Maple Valley, WA 98038
  
4. **Location of Proposal:** The project is located on the east side of Elk Valley Lane; approximately 1,300' southeast of the intersection of Elk Valley Road and Nile Valley Road; approximately 14 miles northwest of the City of Naches, WA. Parcel Identification Number(s): 151628-41409, 1511628-41408, 151628-41407, and 151628-41406.
  
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](http://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 August 10, 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. 2<sup>nd</sup> St.,  
4<sup>th</sup> Floor Courthouse,  
Yakima, WA 98901
11. **Date:** July 27, 2018

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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

COPY  
Attachment: A (1/1)

July 24, 2018

Nate Paris  
Yakima County Planning Division  
128 North 2nd Street  
4th Floor Courthouse  
Yakima, WA 98901

Re: WET2018-00013, SEP2018-00034

Dear Mr. Paris:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Elk Valley Lane Protection Maintenance project, proposed by Robert Rasmussen et al. We have reviewed the documents and have the following comments.

**WATER QUALITY**

Project with Potential to Discharge Off-Site

If your project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. 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.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

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 Lloyd Stevens, Jr. at the Dept. of Ecology, (509) 574-3991, with questions about this permit.

Sincerely,

Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)

Public Services *YRP*  
JUL 25 2018 *via email*

Matt \_\_\_ Don \_\_\_ Lynn \_\_\_  
Harold \_\_\_ Lisa \_\_\_ Carmen \_\_\_





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VERNON M. REDIFER, P.E., Director

July 27, 2018

Robert Rasmussen  
390 Elk Valley Lane  
Naches, WA 98937

**COPY**  
**Attachment: B (1/3)**

**RE: SEP2018-00034/WET2018-00013 Shoreline Exemption Permit for Bank Repair – Rasmussen et al.**

Dear Mr. Rasmussen,

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: Earl A. Soushek, Property Owner  
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**

FILE No.: SEP2018-00034/WET2018-00013

APPLICANT: Robert Rasmussen, 390 Elk Valley Lane, Naches, WA 98937

OWNER: Earl Soushek, 22630 SE 268<sup>th</sup> Street, Maple Valley, WA 98038

**COPY**

**Attachment: B (2/3)**

**PROPOSAL:** The maintenance and repair of rock groins and connective armoring along a segment of shoreline/bank of the Naches River, previously permitted in 2011 under project numbers WET2011-00031 and SEP2011-00037 in which buried rock groins were installed to provide protection of Elk Valley Road (a private access road) from the threat of continued lateral migration of the Naches River. The applicant is proposing to restore the damaged groins to their previously permitted state by bringing in large angular rock to replace dislodged (and irretrievable) rock groins – the largest of the rock will be placed at the downstream face (southern bank) at an upstream angle to allow overtopping flows to be directed away from the bank. The applicant is also considering the placement of tree revetments within the project area for fish/wildlife habitat improvement with consultation from the Washington State Department of Fish & Wildlife. Disturbance to the bank edge shall be minimal since no excavation will be done aside from burying the anchoring for the root wads.

**LOCATION:** The project is located on the east side of Elk Valley Lane; approximately 1,300' southeast of the intersection of Elk Valley Road and Nile Valley Road; approximately 14 miles northwest of the City of Naches, WA. Parcel Identification Number(s): 151628-41409, 151628-41408, 151628-41407, and 151628-41406.

**EXEMPTION CITATION:**

**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).

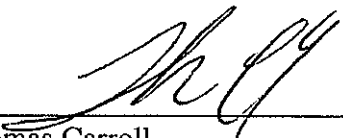
**FINDINGS:** This proposal is exempt from the substantial development permit requirements of the Yakima County Regional Shoreline Master Program because the maintenance and repair of the previously permitted rock groins and connective armoring is authorized as "normal repair" due to the fact that the proposed rock groins and connective armoring were previously permitted in 2011 and will be comparable in size, shape, configuration, location and external appearance and will provide Elk Valley Road with protection from continued lateral migration of the Naches River.

**CONDITIONS:**

1. Site development shall substantially conform to the submittal material in File No. SEP2018-00034/WET2018-00013, 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.*

7/27/2018  
Date

  
\_\_\_\_\_  
Thomas Carroll  
Planning Section Manager Long Range/Environmental

**COPY**  
**Attachment: B (3/3)**

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