



Planning & Community Development
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NOTICE OF ENVIRONMENTAL REVIEW

DATE: November 16, 2022
TO: SEPA Reviewing Agencies, Applicant, and Adjoining Property Owners
FROM: Trevor Martin, AICP, Community & Economic Development Director
APPLICANT: Kevin Eardley on behalf of Port of Sunnyside
FILE NUMBER: SEPA-2022.0046
LOCATION: Vicinity of Sunnyside Mabton Highway and Alexander Rd.
TAX PARCEL NUMBER(S): 220901-13001, -14007, -41404
DATE OF APPLICATION: November 14, 2022
DATE OF COMPLETENESS: November 16, 2022

PROJECT DESCRIPTION Environmental review for the proposed sale of an approximately 37.85 acre parcel (the "Property") within the Port of Sunnyside's (the "Port") Midvale Industrial Park in the Light Industrial (M-1) zoning district.

NOTICE OF ENVIRONMENTAL REVIEW This is to notify agencies with jurisdiction and environmental expertise and the public that the City of Sunnyside, Planning Division, has been established as the lead agency, under WAC § 197-11-928 for this project. The City of Sunnyside has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) per WAC § 197-11-355. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent threshold determination may be obtained by request and may be appealed pursuant to SMC Ch. 18.04.

Required Permits: The following local, state, and federal permits/approvals may or will be needed for this project: Building Permit, potentially other permits suggested by DST

Required Studies: SEPA Review, No others required at this time

Existing Environmental Documents: n/a

Development Regulations for Project Mitigation and Consistency Include: the State Environmental Policy Act, International Fire Code, WAC 173-180-320, WAC 296-24-33005, the Sunnyside Zoning Ordinance, SMC Title 12—Development Standards, and the Sunnyside Comprehensive Plan.

REQUEST FOR WRITTEN COMMENTS: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. There is a 14-day comment period for this review. This may be your only opportunity to comment. All written comments received by 5:00 p.m. on **November 30, 2022** will be considered prior to issuing the final SEPA determination. Please reference file numbers (SEPA-2022.0046) and applicant's name (Port of Sunnyside) in any correspondence you submit. You can mail your comments to:

Trevor Martin, AICP, Community & Economic Development Director
City of Sunnyside, Community and Economic Development Department
818 E. Edison Ave., Sunnyside, WA 98944

NOTICE OF DECISION A copy of the decision and the SEPA threshold determination will be mailed to parties of record and entities who were provided this notice once it is rendered. The file containing the complete application is available for public review at the City of Sunnyside, City Hall, 818 E. Edison Ave. If you have any questions on this proposal, please contact Trevor Martin, AICP, CED Director, at (509) 836-6393 or e-mail at tmartin@sunnyside-wa.gov.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

Name of proposed project, if applicable: The proposed sale of an approximately 37.85 acre parcel (the "Property") within the Port of Sunnyside's (the "Port") Midvale Industrial Park. The Property (identified as "Desired Location by Pacific AG") is shown on Exhibit "A" attached hereto. The non-project actions for which this SEPA is submitted include (i) an amendment to the Port's Comprehensive Scheme of Harbor Improvements (the "CSHI") to

delete the Property from the CSHI, (ii) passing a resolution declaring the Property surplus to the Port's needs pursuant to RCW 53.08.090 ("Surplus Resolution"). Both of these non-project actions are determinations made by the Commission for the Port.

For clarity, after the aforementioned non-project actions the Port will consider the sale of the Property to Sunnyside RNG, LLC. The sale is exempt from SEPA review under WAC 197-11-800(5)(b).

Sunnyside RNG, LLC proposes to construct an industrial scale renewable natural gas anaerobic digestion plant which will produce some 800,000 MMBTUs of renewable natural gas annually from local dairies' manure as well as locally sourced agricultural residue. The construction will be subject to receipt of permits.

After the sale of the Property the Port will install infrastructure (road, sewer, water and power) to the Property. The installation of the infrastructure will be subject to receipt of permits.

2. Name of applicant: Port of Sunnyside
3. Address and phone number of applicant
and contact person: Jay Hester, Executive Director
2640 E. Edison Ave. #1
Sunnyside, WA 98944
(509) 839-7678
4. Date checklist prepared: November 7, 2022
5. Agency requesting checklist: Port of Sunnyside
6. Proposed timing or schedule (including phasing, if applicable): It is anticipated that the two above referenced non – project actions will be completed within the next 3-6 months.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No. For clarity, see No. 1 above
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None known. Per WAC 197-11-315(l)(e), as a non-project proposal, Part B of the Environmental Checklist will not be filled out. However Parts A, C and D are completed.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. None Pending
10. List any government approvals or permits that will be needed for your proposal, if known. Approval of the Amendment to the CSHI and the Surplus Resolution by the Commission of the Port of Sunnyside.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to

describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) The Port of Sunnyside desires to amend its chapter 53.20 RCW mandated Comprehensive Scheme of Harbor Improvements to delete the Property and thereafter to declare the Property surplus to the needs of the Port pursuant to RCW 53.08.090. For clarity, the Port will thereafter consider a sale of the Property to Sunnyside RNG which is a SEPA exempt action (WAC 197-11-800(5)(b)). Please see No. 1 above.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. Exhibit A attached hereto shows the Property (identified as "Desired Location by Pacific AG") attached hereto which is located at the Port's Midvale Industrial Park which is located west of SR 241 and south of Alexander Road in Sunnyside, Washington.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Name of signee: Jay Hester

Position and Agency/Organization: Executive Director, Port of Sunnyside

Date Submitted: November 14, 2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? The proposed non-project actions will not affect how land uses discharge to water, emissions to the air, storage, or release of toxic or hazardous substances, or the production of noise.

Proposed measures to avoid or reduce such increases are:

None proposed. Any future measures to avoid such increases will be dealt with at the project

level.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed non-project actions will not affect plants, animals, fish, or marine life. Any future measures to avoid such increases will be dealt with at the project level.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed. Any future measures to avoid such increases will be dealt with at the project level.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed non-project actions do not involve energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None proposed. Any future measures to avoid such depletions will be dealt with at the project level.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed non-project actions will not change or affect any environmental sensitive areas or regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None Proposed. Any future measures to avoid such increases will be dealt with at the project level.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No change to shoreline uses are proposed.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None Proposed. Any future measures to avoid such increases will be dealt with at the project level.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

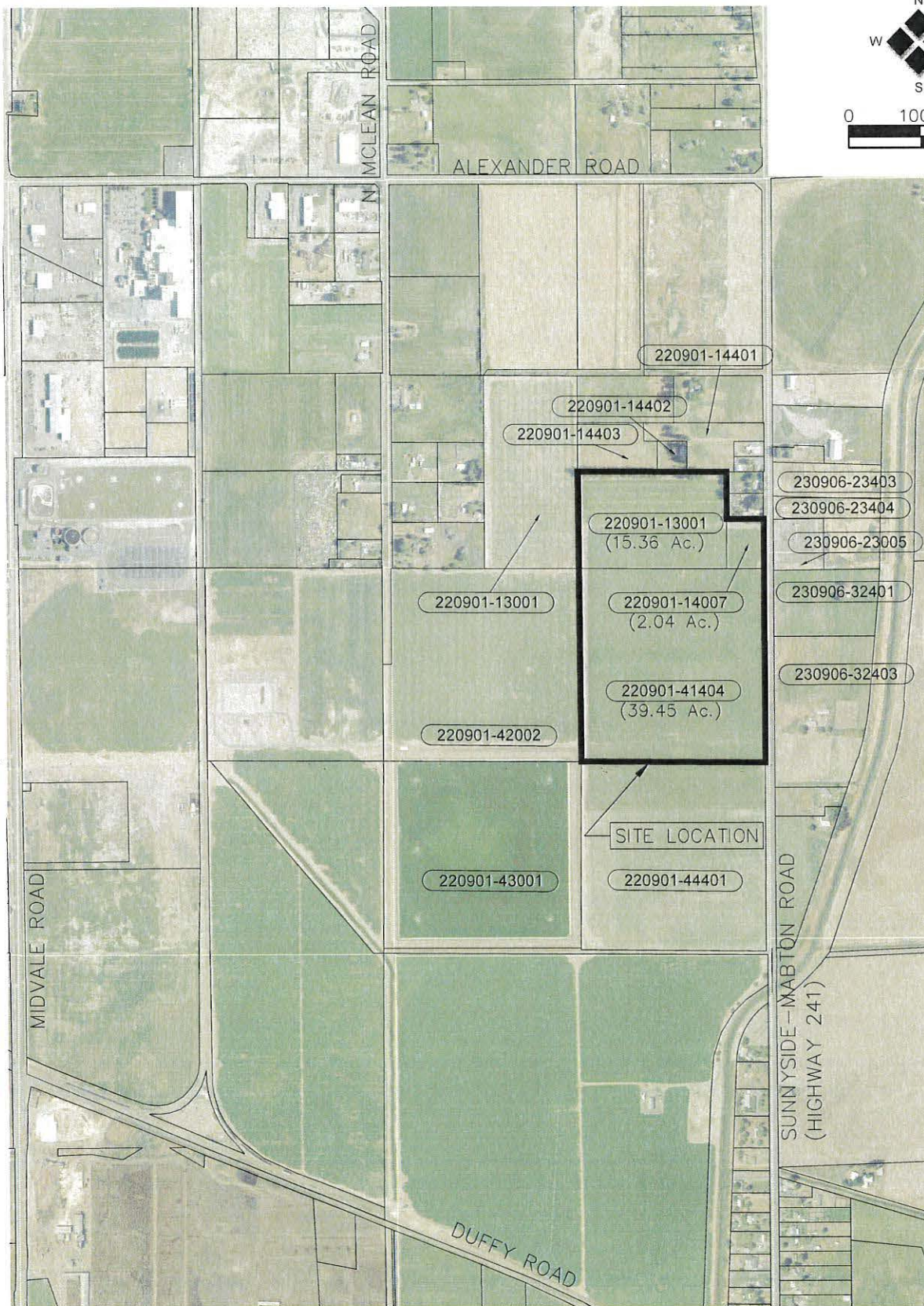
None proposed.

Proposed measures to reduce or respond to such demand(s) are:

None Proposed. Any future measures to avoid such increases will be dealt with at the project level.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed non-project action will not conflict with any local, state, or federal laws, or requirements for the protection of the environment.



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| 22015 | 11-07-22 |
| FILE NAMES: | |
| DRAWING: | SEPA.dwg |
| DESIGNED BY: | SJR |
| ENTERED BY: | SCH |

PORT OF SUNNYSIDE

SEPA SITE MAP

