

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

LISA H. FREUND - Director

DATE: March 29, 2019

TO: FRH Enterprises LLC, B7 Engineering LLC, Parties of Record, and

Interested Agencies

FROM: Byron Gumz, Senior Project Planner

SUBJ: CUP2018-00099/SEP2018-00047 - Sage Brush Dairy

Notice of Decision & Final Threshold Determination

Enclosed are the Decision and Final Threshold Determination - Mitigated Determination of Non-Significance for the proposal to establish a new dairy. Your proposal has been APPROVED. 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. MDNS

Decision

Copy: Parties of Record

Agencies

\\nt2\Planning\Development Services\Projects\2018\SEPA\SEP18-047 FRH Enterprises AG CAFO Dairy\SEP2018-00047 FRH Dairy CAFO Final MDNS_bjg.docx

FINAL MITIGATED DETERMINATION OF NON-SIGNIFICANCE

(Notice of Action)

1. **Description of Proposal:** The proposal is to establish a new Concentrated Animal Feeding Operation (CAFO) and dairy. This project will consolidate existing operations currently located in the Grandview vicinity to this new facility on the subject parcels. Various structures will be constructed including cow shelters, milking parlor, feed storage, mixing, distribution facilities, and a waste handling facility. Structures will total approximately 70,000 square feet. Access to the dairy will be via a private road from Glade Road.

2. File Number:

CUP2018-00099 / SEP2018-00047

3. Owner:

FRH Enterprises LLC 650 Hornby Road

Grandview, WA 98930

Proponent: 7

Tim Bardell B7 Engineering P.O. Box 487

Sunnyside, WA 98944

4. **Location of Proposal:** The project will be conducted on four parcels which total approximately 819 acres. The project will be located on the east side of Glade Road (Mabton-Bickleton Road), approximately 1.2 miles south of the intersection of Glade Road and Maple Street, and approximately 1.1 miles south of the City of Mabton, WA. (Parcel Nos.: 230818-12001, 230818-21001, 230818-22001, and 220813-11001)

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), provided the measures listed below are taken to mitigate identified potential adverse impacts. The lead agency has also determined that additional requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. 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. Identified Environmental Impacts and Mitigation Measures: Substantive authority to require mitigation for significant and non-significant impacts is

derived from WAC 197-11-660, Yakima County Code Chapter 16.04.230 and, by reference, the policies contained in the Yakima County Comprehensive Plan.

A. Water (Quality)

Adjacent property owners, adjacent sensitive environments, or groundwater due to construction erosion, increased runoff, and/or stormwater infiltration will not have adverse impacts if development is properly designed and managed. Adequate site investigation and development planning will mitigate these impacts. (*Horizon 2040* Policies NS 13.1, NS 13.3, & NS 14.2)

Mitigation Measure A1: The feedlot shall operate in accordance with an approved Dairy Nutrient Management Plan (DNMP) prepared for the facility.

B. Air

Wind erosion and fugitive dust are likely during grading and construction. All soils within the project area possess the potential to generate significant levels of dust if they are disturbed. This potential for wind erosion and dust creation exists predominantly during construction, but also during normal operations from equipment movement within the site. (*Horizon 2040* Policy NS 3.3)

Mitigation Measure B1: The applicant shall submit a Dust Control Plan to the Yakima Regional Clean Air Agency prior to the start of construction. During both construction and normal operations, the applicant must comply with the provisions of the submitted Dust Control Plan and all permitting and regulatory requirements set forth by the Yakima Regional Clean Air Agency.

C. Environmental Health (Vectors and Odors)

Confined Animal Feeding Operations generate large quantities of animal waste. Excess waste can generate odors and attract flies and other vectors. (Plan Policies NS 9.3 & NS 14.2)

Mitigation Measure C1: To reduce potential for larvae nurseries in the waste handling area, weeds will be prevented from growing by lining the pond.

Mitigation Measure C2: Vectors will be controlled by ensuring manure solids are as dry as possible to reduce the suitability of manure of growth medium for larval development.

Mitigation Measure C3: To reduce odor corrals are kept as dry as possible to provide the least favorable environment for odors and fly pupae.

Mitigation Measure C4: To reduce odor the disposition of dead animals is accomplished in a sanitary manner and in accordance with all state and local laws.

Mitigation Measure C5: To reduce odors feed spillage around feed bunkers is kept to a minimum, especially under moist conditions.

Mitigation Measure C6: To reduce odors all animal holding areas are kept clean of excess manure.

Mitigation Measure C7: To reduce odors manure is only applied on days when the wind is relatively calm so that the aerosols and odors are minimized from drifting onto neighboring areas.

D. Plants and Animals

The project area is within a designated critical area, Upland Wildlife Habitat Conservation Areas. The Washington State Department of Fish and Wildlife (WDFW) has identified Priority Habitat and potential for Priority Species on the subject property. (*Horizon 2040* Policies NS 15.1, NS 15.2, NS 15.4, NS 15.5, & NS 15.6)

Mitigation Measure D1: A permanent form of protection (conservation easement, deed restriction, etc.) that prohibits land disturbing activities shall be established on the subject property. The area of protection shall meet ratios of protection established by WDFW. Evidence that this mechanism has been approved by WDFW and established shall be provided to Yakima County Planning prior to construction and grading activities within the CAFO area.

8. Comment and Appeal Information: This Final MDNS is issued under WAC 197-11-340(2). There is no further comment on it. You may appeal this SEPA threshold determination to Yakima County Hearings Examiner within 14 days. For information on the appeal processes, or on other issues relating to this proposal, contact Byron Gumz, Senior Project Planner, at (509) 574-2300.

9. **SEPA Responsible Official:** Lynn Deitrick, AICP

10. Designee:

11. Address:

Thomas Carroll

128 N. 2nd St. 4th Floor Courthouse

Yakima, WA 98901

12. **Date:**

March 29, 2019