



Planning & Community Development
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NOTICE OF PUBLIC HEARING CANCELLATION

DATE: August 16, 2023
TO: Applicant and Adjoining Property Owners, Existing Parties of Record
FROM: Trevor Martin, AICP, Community and Economic Development
Director
APPLICANT: Sunnyside RNG LLC.
FILE NUMBER: SEPA-2023.0200
LOCATION: Vicinity of 2711 and 334 Sunnyside Mabton Highway
TAX PARCEL NUMBER(S): 220901-13001, -44401, -41404
DATE OF APPEAL: July 6, 2023
DATE OF APPEAL HEARING: August 23, 2023

APPEAL DESCRIPTION: The appellant that a timely appeal was filed by Jean Mendoza, on behalf of Friends of Toppenish on July 6, 2023 regarding the Administrative Official's issuance of a Mitigated Determination of Nonsignificance (MDNS) (file no. SEPA-2023-0200) for an approximately 50-acre digester within the Port of Sunnyside's (the "Port") Midvale Industrial Park in the Heavy Industrial (M-2) zoning district.

It is not possible to appeal the MDNS at this time. There may be opportunity to file an appeal at a later date, but at this time the only document which has been issued for the project described above is a Mitigated Determination of Nonsignificance (MDNS) which is an advisory statement and not a development permit, and therefore an appeal cannot be held before the Hearing Examiner. See - *Ellensburg Cement Products, Inc. v. Kittitas County*, 179 Wn.2d 737 (2014).

NOTICE OF PUBLIC HEARING CANCELLATION: The application described above has been **cancelled** and will no longer be reviewed with the Hearing Examiner on August 23, 2023.

If you have any questions about the cancellation of the public hearing portion on August 23, 2023, please contact Trevor Martin, AICP, Community and Economic Development Director at tmartin@sunnyside-wa.gov or at 509-836-6393.