

City of Liberty Lake Notice of Decision

Proposal File #: BLD2022-0815

Zoning: R-1 (Single Family Residential)

Proposal: Legacy Ridge Water Tank

Proposal Description: A conditional use permit application for a 2-million-gallon concrete drinking water storage tank to be constructed by Consolidated Irrigation District No. 19 (CID) as required under City Development Code §10-2A-4.

General Location: 20761 E Valley Vista Dr (Parcel 55163.0205)

Property Owner: Consolidate Irrigation District No. 19

Applicant: Consolidated Irrigation District No. 19

Phone: 509-924-3655

Contact: Jeff Moran (Varela Engineering & Management)

Phone: 509-893-2617

Application Date: 9/20/2022

Notice of Application Review: 8/12/2022

Public Hearing Date: 10/11/2022

Notice of Decision Issued: 11/7/2022

Appeal Closing Date: 4 pm, 11/28/2022

City of Liberty Lake Hearing Examiner Decision: Approved with the following Conditions:

1. The proposed development shall comply with the mitigation measures set forth in the MDNS.
2. The proposed development shall comply with the program standards contained in the comment received from Washington State Department of Ecology.
3. The proposal shall comply with all applicable sections of the City Development code and City Municipal Code, as amended.

Decision Appeal Procedure: Pursuant to 10-4B-3(C)(1) and 10-4B-4(F)(5)(a) of the Liberty Lake Development Code and Chapter 36.70C of the Revised Code of Washington (RCW), the decision of the Hearing Examiner on an application for a conditional use permit and the SEPA determination made under Chapter 43.21C RCW is final and conclusive unless within 21 calendar days from the date of issuance of the Hearing Examiner's decision, a party with standing files a land use petition in Superior Court pursuant to RCW Chapter 36.70C.

On November 3, 2022, a copy of this decision will be mailed by regular mail to the Applicant and be verifiable electronic mail to all government agencies and persons entitled to notice under Article 10-4B LLDC. Pursuant to RCW Chapter 36.70C, the date of issuance of the Hearing Examiner's decision is three (3) days after it is mailed.

The date of issuance of the Hearing Examiner's decision will be November 7, 2022. **THE LAST DATE FOR APPEAL OF THIS DECISION TO SUPERIOR COURT BY LAND USE PETITION IS NOVEMBER 28, 2022.**

The complete record in this matter is on file during and after the appeal period City of Liberty Lake, located at 22710 East Country Vista Drive, Liberty Lake, WA 99019: by contacting staff at (509) 755-6700. Copies of the documents in the record will be made available at the cost set by the City of Liberty Lake.

Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Review Authority - Project Coordinator:

City of Liberty Lake – Amy Mullerleile, Senior Planner, Phone: 509-755-6732, Email:
amullerleile@libertylakewa.gov

MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Proposal File #: LUA2022-0038 **Zoning:** R-1

Proposal: Consolidated Irrigation – Legacy Ridge Water Tank

Proposal Description: Construct a 2 million gallon water tank to serve the Corbin Pressure Zone within the Consolidated Irrigation Water District No. 19.

Site Address: 20761 E Valley Vista Drive

General Location: South of E Valley Vista Drive in the SE ¼ of the SW ¼ of S16, T25N, R45EWM

Owner: Consolidated Irrigation District No. 19 **Phone:** 509-924-3656

Contact: Kevin Taft **Phone:** 509-328-6066

MDNS Determination Issued: 08/29/2022 **Appeal Closing Date:** 09/12/2022

LEAD AGENCY: CITY OF LIBERTY LAKE

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment; provided the applicant complies with the mitigation measures listed below and the attached conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The complete record in this matter is on file during the appeal period with the review authority listed below and is available to the public upon request.

- There is no comment period for this MDNS; pursuant to WAC 197-11-355(4).
- This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date issued (below). Comments must be received by: _____, if they are intended to alter the MDNS.

MITIGATING MEASURES:

In addition to the plans and specifications submitted for permit and SEPA review, the following mitigation is required:

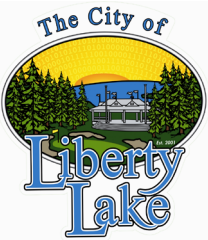
- a. A Temporary Erosion and Sedimentation Control (TESC) plan shall be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan shall use best management practices (BMP's), and is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction.
- b. A Stormwater Pollution Prevention Plan for the project site is required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants.
- c. Development of the site shall comply with City Development Code, Section 10-3H, and the Spokane Regional Stormwater Manual. Stormwater plans and drainage reports, stamped and certified by the engineer of record as being compliant with the Spokane Regional Stormwater Manual, shall be submitted to the City Engineer for review and approval prior to the commencement of construction.
- d. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
- e. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (non-endangerment standard) at the top of the ground water table.
- f. The developer shall be required to have an Inadvertent Discovery Plan in place. Should any artifacts or human remains be found once construction has commenced, the Tribal Historic Preservation Officer of the Spokane Tribe of Indians shall be notified immediately, and all work in the area shall cease immediately.

APPEAL OF THIS DETERMINATION, allowed under City Development Code Section 10-6A-7, subsection "C" shall be filed within fourteen (14) days after the determination has been made and is appealable. Any administrative appeal of a procedural or

substantive determination under SEPA issued at the same time as the decision on the project action shall be filed within fourteen (14) days after notice of the decision has been made and is appealable. In order to allow public comment on a MDNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a MDNS for which public comment period is required under the provisions of the City Environmental Ordinance or chapter 197-11 WAC. A notice of appeal must be delivered to Planning Engineering & Building Services by mail or personal delivery and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H and shall follow the procedures outlined in City Development Code Section 10-6A-7, Subsection C for SEPA Appeals and Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the Director. **Appeal Closing Date:** September 12, 2022.

A copy of this SEPA determination has been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

REVIEW AUTHORITY:



RESPONSIBLE OFFICIAL: **Lisa D. Key, Director**

Planning, Engineering & Building Services

22710 E Country Vista Drive. Liberty Lake WA 99019

Phone: (509) 755-6708

Date Issued: 08/29/2022

Signature: _____

Lisa D Key