

**EXHIBIT LIST FOR OA 2021-001/EA 2021-004
ORDINANCE AMENDMET TO BCC 11.15.060 AND 11.17.040/.060/.070**

DATED

Planning Commission Memo Exhibit List - March 9, 2021			
PCM 1 Includes:	PCM 1.1	Staff Report	February 26, 2021
	PCM 1.2	Draft Ordinance	
	PCM 1.3	Notice of Public Hearing	February 17, 2021
		SEPA INFORMATION	
	PCM 1.4	Environmental Checklist EA 2021-004	February 4, 2021
	PCM 1.5	Mitigated Determination of Non Significance	February 5, 2021
		COMMENTS	
	PCM 1.6	Wash. State Dept. of Health	February 5, 2021
	PCM 1.7	Benton County Public Works Comments	February 11, 2021
PCM 1.8	Kennewick Irrigation District Comments	February 16, 2021	
Board of County Commissioners Memo Exhibit List - XXXX			
BCCM 1 Includes:	BCCM 1.1		
	BCCM 1.2		
	BCCM 1.3		
	BCCM 1.4		

The Exhibit Numbers are found in the Top Right Hand Corner of each document.

PCM = Planning Commission Memo Exhibits

BCCM = County Commissioner Memo Exhibits

Community Development Department
 Prosser Office: 620 Market Street, 1st Floor
 Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us



Planning Division
 (509) 786-5612
 P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

STAFF REPORT TO THE BENTON COUNTY PLANNING COMMISSION

FILE NO: OA 2021-001 (Ordinance Amendment to Zoning Regulations)

MEMO DATE: February 26, 2021

HEARING DATE: March 9, 2021

APPLICANT: Benton County Planning Department

OWNER: N/A

LOCATION: Unincorporated Benton County

PROPERTY SIZE: N/A

AREA TO BE USED: N/A

LAND USE: N/A

COMP. PLAN: N/A

ZONING: N/A

SUGGESTED STAFF RECOMMENDATION: Positive recommendation subject to ten findings of fact.

APPLICATION DESCRIPTION

Benton County is proposing a text amendment to the County Zoning Regulations. The amendment involves the following:

- Chapter 11.15 Rural Lands Twenty Acre District (RL-20).** The proposed amendment increases the setback requirements associated with wind turbines in the RL-20 Zoning District.

The changes impact BCC 11.15.060(i) as shown:

(2) All wind turbine tower bases must be set back from all dwellings not located on the same parcel at least one thousand ~~(1,000)~~ **six hundred and forty (1,640)** feet;

(3) All wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height **plus 50% of that height**, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines

common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm;

(4) All wind turbine tower bases must be set back from the closest edge of a state, county, or city road right-of-way a distance equal to the wind turbine height **plus 50% of that height**.

2. **Growth Management Act Agricultural Zoning District (GMAAD).** The proposed amendment adds solar energy to the uses allowed with Meteorological (MET) towers and increases the setback requirements associated with wind turbines in the GMAAD Zoning District.

The changes impact BCC 11.17.040(s) as shown:

(s) Meteorological towers used to gather data to assess wind **and solar** energy potential; provided, that the towers:

(1) Shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available solely for private use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO); and

(2) Must comply with the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, as amended, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposal.

The changes impact BCC 11.17.070(t) as shown:

(2) All wind turbine tower bases must be set back from all dwellings not located on the same parcel at least one thousand ~~(1,000)~~ **six hundred and forty (1,640)** feet;

(3) All wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height **plus 50% of that height**, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the

wind farm;

(4) All wind turbine tower bases must be set back from the closest edge of a state, county, or city road right-of-way a distance equal to the wind turbine height plus 50% of that height.

PUBLIC NOTICE

1. A Notice of Public Hearing was published in the Prosser Record Bulletin on February 24, 2021 and was put on the County's website on February 23, 2021.
2. The Planning Staff mailed out review packets to technical agencies on February 5, 2021.

APPLICABLE STANDARDS/ORDINANCES

1. Comprehensive Plan: 2018 Benton County Comprehensive Plan.
2. Zoning Code: Benton County Code, Title 11, Zoning.

AGENCY COMMENTS

None.

RECOMMENDATION

Benton County Planning Staff will assist the Planning Commission with the determination of findings of fact for - File OA 2021-001.

The Benton County Planning Division recommends that the Planning Commission forward a **recommendation of approval** to the Benton County Board of Commissioners for application OA 2021-001 with the following suggested findings of fact and motion.

SUGGESTED FINDINGS OF FACT:

1. Benton County is proposing a text amendment to the County Zoning Regulations, **Ordinance 611** with a focus on the following:
 - a. Chapter 11.15 Rural Lands Twenty Acre District (RL-20), amending BCC 11.15.060(i) wind turbine requirements, including setbacks;
 - b. Chapter 11.17 Growth Management Act Agricultural Zoning District (GMAAD), amending BCC 11.17.040(s) meteorological towers requirements with the addition of solar energy;
 - c. Chapter 11.17 Growth Management Act Agricultural Zoning District (GMAAD), amending BCC 11.17.070(t) wind turbine requirements, including setbacks;

2. Planning Case File Application OA 2021-001 is found to be in conformance with the intent of **Ordinance 611** for zoning text amendments.
3. Planning Case File Application OA 2021-001 is found to be in conformance with the intent of the Benton County Comprehensive Plan.
4. Planning Case File Application OA 2021-001 was submitted by email to the State of Washington's Department of Commerce on February 5, 2021 for review in compliance with WAC 365-196-630 (6).
5. The legal notification for Planning Casefile Application OA 2021-001 was given on February 24, 2021, pursuant to RCW 36.70.590.

SUGGESTED MOTION-

I move that the Chairman, in conjunction with the Secretary of the Planning Commission, prepare and adopt written findings and conclusions reflecting the Commission's recommendation for approval of the proposed zoning amendment, amending Ordinance 611, Chapter 11.15.060, 11.17.040, and 11.17.070 as noted in Casefile OA 2021-001, that articulate and are consistent with the findings, conclusions and recommendations made by the Planning Commission tonight.

ORDINANCE NO. _____

AN ORDINANCE relating to zoning, rural lands twenty acre district (RL-20), and growth management act agricultural district (GMAAD); amending the sections relating to uses requiring a conditional use permit and allowable uses; amending Ordinance 611, Section 53 and BCC 11.15.060; amending Ordinance 611, Section 60 and BCC 11.17.040; and amending Ordinance 611, Section 63 and BCC 11.17.070.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

SECTION 1. Ordinance 611, Section 53 and BCC 11.15.060 are hereby amended to read as follows:

USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Rural Lands Twenty Acre District (RL-20) if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided by BCC 11.50.040.

(a) A sand or gravel pit, stone quarry and similar use for the development of natural resources extracted on-site.

(b) Kennel, commercial.

(c) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.

(d) A Park.

(e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.

(f) Agricultural Market.

(g) Business activities, other than those set forth above, that are compatible with the principal uses and purpose of the underlying zone and the surrounding land uses may be conducted from within an approved accessory building detached from all dwelling units if the following criteria as well as any other conditions required by the Hearings Examiner are satisfied:

(1) The business activity must take place on a parcel of land that is 2.0 acres or greater in size.

(2) There must be a residence on site, and at least one (1) of the proprietors of the business must be the owner or lessee of the property where the business and the residence are located and must reside in said residence.

(3) No more than four (4) non-resident persons, whether they work on site or not, may be employed by or be partners in the business.

(4) The business activity, including all storage space, shall not occupy more than two thousand (2,000) square feet of total floor area within the detached accessory building.

(5) Only one (1) approved detached accessory building on a parcel may be used for business activities. If more than one

(1) business will be conducted within an approved detached accessory building, then a separate application must be submitted for each business activity, provided that the total area used by all business activities shall not exceed that permitted by BCC 11.15.060(g)(4).

(6) No more than two (2) non-illuminating signs, with a maximum area of four (4) square feet each, shall be permitted in connection with the business activity. The posting of such signs is limited to the parcel on which the approved detached accessory building is located. On-street (inside the road right-of-way) sign posting and sign posting which interferes with the line-of-site for road intersections are prohibited.

(7) Not more than three (3) vehicles marked to identify the business may be on the parcel at any one time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the business activity. This prohibition applies to, but is not limited to: lumber, plasterboard, pipe, paint, inoperable vehicles, and heavy equipment that are related to the business.

(8) The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the business activity pursued. The requirements of or permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations.

(9) Adequate off-street parking, as determined by the Hearings Examiner, must be provided.

(10) Any waste created as a result of the business activity must be disposed of off-site in compliance with all local, state and/or federal regulations.

(11) The presence of customers/clients and non-resident employees at the location of the business activity shall be limited to the days and hours of operation as determined by the Hearings Examiner.

(12) The business activity does not require a marijuana retail outlet license from the Washington State Liquor and Cannabis Board.

(h) Shooting range facility.

(i) One (1) wind turbine with a wind turbine height of sixty (60) feet or more or a wind turbine farm and related support structures and other improvements under the following conditions:

(1) The lowest point on all rotor blades must be at least thirty (30) feet above ground level;

(2) All wind turbine tower bases must be set back from all dwellings not located on the same parcel at least one thousand (~~(+1,000)~~) six hundred and forty (1,640) feet;

(3) All wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm;

(4) All wind turbine tower bases must be set back from the closest edge of a state, county, or city road right-of-way ((a)) distance equal to the wind turbine height plus 50% of that height;

(5) All wind turbine tower bases must be set back a distance equal to the wind turbine height from all borders of the GMA Agricultural District, except for GMA Agricultural District borders adjacent to the Hanford Reservation owned by the Department of Energy or adjacent to another zoning district adopted by another county that contains a general minimum parcel size of at least twenty (20) acres per parcel;

(6) For wind turbine(s) proposed to be located within four (4) miles of the nearest point of the nearest runway of the nearest airport available for public use, the applicant for a building permit must comply with all the requirements imposed by the Federal Aviation Administration (FAA) and provide a written statement from the FAA that sets forth the FAA's comments and requirements, if any, for the proposal;

(7) All wind turbine(s) must comply with the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, as currently in effect or as hereafter amended, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposal;

(8) Conditional use permit applications for the placement and operation of wind turbines under this section shall be made available for review by the United States Department of Defense (USDOD) in accordance with RCW 36.01.320, as in effect now or hereafter amended. The notice and processing of wind turbine permit applications will be in accordance with Benton County Code chapter 17.10. Pursuant to BCC 11.50.040 (d), the applicant is required to provide sufficient evidence to persuade the Hearings Examiner that the proposed wind turbine is compatible with other uses in the surrounding area, including any military training activities, or is no more incompatible than are any other outright permitted uses in the applicable zoning district, as well as provide all other evidence required by BCC 11.50.040;

(9) All wind turbine tower bases shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available solely for private use and identified on the

most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO);

(10) If the use of any wind turbine or wind turbine farm is discontinued for a period of one (1) year or more, the owner of such facility shall remove the facility within ninety (90) days of written notification by the Planning Department. If such facility is not removed within said ninety (90) days, the County may refer the issue to the code enforcement officer for appropriate action pursuant to Chapter 11.43 BCC; and

(11) The wind turbine(s) and all associated service roads may not displace more than five (5) percent of the area of that parcel(s) on which they are located.

- (j) Agri-tourism accommodations.
- (k) Solar Power Generator Facility, Major.

SECTION 2. Ordinance 611, Section 60 and BCC 11.17.040 are hereby amended to read as follows:

ALLOWABLE USES. Provided all applicable code provisions are satisfied, the following uses are allowed within the GMA Agricultural District on a single parcel of record:

- (a) Agriculture, floriculture, horticulture, nursery and general farming; except commercial dairying, poultry raising, commercial hog ranches, animal feedlots and stockyards.
- (b) Agriculture buildings: as defined under BCC 11.03.010(6).
- (c) Agricultural related industries as defined under BCC 11.03.010(9) including but not limited to wineries/breweries/distilleries.
- (d) Agricultural stands as defined under BCC 11.03.010(10).
- (e) Bakeries, on parcels with eighty (80) percent of its acreage planted with a producing commercial grain crop or on a parcel in common ownership with an adjacent parcel that has eighty (80) percent of its acreage planted with a producing commercial grain crop.
- (f) Single family dwelling.
- (g) Manufactured home if constructed after June 15, 1976.
- (h) Commercial specialty/exotic domesticated animal raising, including but not limited to miniature horses, cattle, goats, llamas, alpacas, ostrich, and emu.
- (i) Aquaculture.
- (j) Adult Family Homes.
- (k) Community club houses, grange halls and other agricultural nonprofit organization halls.

(l) Commercial establishments that primarily provide custom agricultural land grading, plowing, planting, cultivating, harvesting and soil preparation services.

(m) Airstrips (personal).

(n) Public or quasi-public buildings and yards and utility buildings, such as: pumping stations, fire stations, substations and telephone exchange and distribution facilities.

(o) Schools and churches.

(p) Kennels, both commercial and private.

(q) Communication facilities described in BCC 11.47.030(b), BCC 11.47.030(c), BCC 11.47.030(d), or BCC 11.47.030(e).

(r) No more than one (1) wind turbine and related support structures and other improvements per parcel for private use; provided, the wind turbine height must be less than sixty (60) feet and the wind turbine must be set back from all property lines a distance equal to one (1) foot for every foot in height of the wind turbine.

(s) Meteorological towers used to gather data to assess wind and solar energy potential; provided, that the towers:

(1) Shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available solely for private use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO); and

(2) Must comply with the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, as amended, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposal.

(t) Commercial stables, private stables, and/or riding academies.

SECTION 3. Ordinance 611, Section 63 and BCC 11.17.070 are hereby amended to read as follows:

USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted within the GMA Agricultural District if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided by BCC 11.50.040:

(a) Slaughterhouses, commercial meat-packing plants, animal feedlots; provided, that they are not located in the floodway and floodplain as shown on the FEMA maps, or within two hundred (200) feet of a naturally occurring body of water, or a well-used for domestic or municipal purposes and shall be designed to prevent infiltration or other movement of livestock wastes into the aquifer, or directly into surface waters.

(b) Commercial dairy, hog, poultry, and rabbit operations, propagation of fur bearing species for commercial purposes, or

livestock auction yard; provided, that at least the following setbacks are met as well as all other conditions imposed in connection with the issuance of the conditional use permit: one hundred (100) foot setbacks from any lot line to any animal enclosure, except for fenced pasture; and a five hundred (500) foot setback from any existing residential structure on adjacent property not under applicant's ownership.

(c) Commercial establishments for the transportation of agricultural products other than those produced on the premises, or agricultural supplies or equipment, together with the maintenance, storage, repair and servicing of the necessary trucks and equipment.

(d) The following agriculturally based recreational and sales facilities: covered arenas, rodeo events, livestock sales rings, and working animal events. The following accessory uses may be permitted during one or more of the above events: veterinary service, food concessions, RV parking area, and event related novelty/accessory sales.

(e) Airstrips (commercial crop dusting).

(f) Facilities for treatment of industrial solid wastes with associated spray fields related to the on-site processing of agricultural products.

(g) Solid waste disposal site; except on lands designated as having less than 160 acre minimum parcel size.

(h) Off-site hazardous waste treatment and storage facilities may be allowed by conditional use permit issued by the Benton County Hearings Examiner after notice and public hearing as provided in BCC 11.50.040 provided, that such facilities must comply with the state siting criteria adopted in accordance with RCW 70.105.210, as currently in effect or as hereafter amended.

(i) Asphalt manufacture in conjunction with rock, sand and gravel mining.

(j) Facilities for power generation, other than nuclear fueled, wind fueled or solar fueled.

(k) Child Day Care Facility, Type B, subject to the provisions of BCC 11:42.060.

(l) Farm labor housing, to the extent that the farm laborers are needed for the agricultural operation on premise.

(m) Manufactured (mobile) home and factory assembled structure parks occupied by farm laborers and their families and pursuant to Chapter 3.22 BCC (Manufactured Home Park Ordinance).

(n) Recreational vehicle parks occupied by farm laborers and their families.

(o) Off-premise directional signs.

(p) The production of bio-diesel and alcohol fuels from agricultural products.

(q) The commercial maintenance, repair, servicing, and storage of agricultural machinery, implements, and equipment for use off the premises.

(r) Commercial establishments for the storage, sale and off-site application of agricultural chemicals, including but not limited to herbicides, fertilizers, insecticides, and pesticides.

(s) Underground natural gas storage facilities.

(t) One (1) wind turbine with a wind turbine height of sixty (60) feet or more or a wind turbine farm and related support structures and other improvements under the following conditions:

(1) The lowest point on all rotor blades must be at least thirty (30) feet above ground level;

(2) All wind turbine tower bases must be set back from all dwellings not located on the same parcel at least one thousand (~~(1,000)~~) six hundred and forty (1,640) feet;

(3) All wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm;

(4) All wind turbine tower bases must be set back from the closest edge of a state, county, or city road right-of-way ((a)) distance equal to the wind turbine height plus 50% of that height;

(5) All wind turbine tower bases must be set back a distance equal to the wind turbine height from all borders of the GMA Agricultural District, except for GMA Agricultural District borders adjacent to the Hanford Reservation owned by the Department of Energy or adjacent to another zoning district adopted by another county that contains a general minimum parcel size of at least twenty (20) acres per parcel;

(6) For wind turbine(s) proposed to be located within four (4) miles of the nearest point of the nearest runway of the nearest airport available for public use, the applicant for a building permit must comply with all the requirements imposed by the Federal Aviation Administration (FAA) and provide a written statement from the FAA that sets forth the FAA's comments and requirements, if any, for the proposal;

(7) All wind turbine(s) must comply with the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, as currently in effect or as hereafter amended, including but not limited to, providing such notices to the FAA as required thereunder and compliance with all requirements or prohibitions imposed by the FAA on the applicant's proposal;

(8) Conditional use permit applications for the placement and operation of wind turbines under this section shall be made available for review by the United States Department of Defense (USDOD) in accordance with RCW 36.01.320, as in effect now or hereafter amended. The notice and processing of wind turbine permit applications will be in accordance with Benton County Code chapter 17.10. Pursuant to BCC 11.50.040 (d), the applicant is required to provide sufficient evidence to persuade the Hearings Examiner that the proposed wind turbine is compatible with other uses in the surrounding area, including any military training activities, or is no more incompatible than are any other outright permitted uses in the applicable zoning district, as well as provide all other evidence required by BCC 11.50.040;

(9) All wind turbine tower bases shall be located at least forty (40) feet for every one (1) foot of tower height or one mile, whichever is greater, from the ends of and at least five thousand (5,000) feet from the sides of all runways which are available solely for private use and identified on the most current edition of the Sectional Aeronautical Charts produced by the National Aeronautical Charting Office (NACO);

(10) If the use of any wind turbine or wind turbine farm is discontinued for a period of one (1) year or more, the owner of such facility shall remove the facility within ninety (90) days of written notification by the Planning Department. If such facility is not removed within said ninety (90) days, the County may refer the issue to the code enforcement officer for appropriate action pursuant to Chapter 11.43 BCC; and

(11) The wind turbine(s) and all associated service roads may not displace more than five (5) percent of the area of that parcel(s) on which they are located.

(u) Non-agricultural accessory uses that promote or sustain the continuation of the agricultural uses of a parcel if the accessory uses meet the following criteria as well as any other conditions required by the Hearings Examiner:

(1) The non-agricultural accessory use shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the parcel;

(2) The non-agricultural accessory use must be consistent with the size, scale, and intensity of the existing agricultural use of the parcel and the existing buildings thereon;

(3) The parcel on which the non-agricultural accessory use is located meets one of the following:

(i) the parcel is no less than twenty (20) acres in size with eighty (80) percent of the acreage primarily committed to agricultural use and has produced gross income equivalent to two hundred (200) dollars or more

per acre each year for three (3) of the five (5) calendar years preceding the date of application;

(ii) the parcel is currently enrolled in the County's Agricultural Open Space program pursuant to Chapter 84.34 RCW, as currently in effect or as hereafter amended;

(iii) the parcel is not less than one hundred (100) contiguous acres that has been in agricultural use for three (3) of the last five (5) years.

(4) The non-agricultural accessory use, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the nearest existing buildings or residential structures and shall not otherwise convert more than one (1) acre of agricultural land to non-agricultural uses;

(5) The non-agricultural accessory uses, including any storage space associated therewith, shall not collectively occupy more than fifteen thousand (15,000) square feet of building space;

(6) No more than three (3) vehicles marked to identify the non-agricultural accessory use(s) may be on the parcel at any time. No other on-site outside storage of vehicles, equipment and/or supplies is allowed in connection with the non-agricultural accessory use;

(7) No person may possess more than one valid permit at a time under this section and all non-agricultural accessory use permits issued under this section for any given parcel must be authorized in one permit;

(8) No more than two (2) signs of a size determined by the Hearings Examiner shall be permitted in connection with the non-agricultural accessory use. Illumination of a sign shall be only by hooded directional lighting so that only the sign surface is illuminated. The posting of such sign is limited to the parcel on which the non-agricultural accessory use is located. On-street (inside the road right-of-way) sign posting is prohibited, and no sign outside of a road right-of-way may interfere with the line of sight for road intersection;

(9) The parcel and non-agricultural accessory use owner shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state, and federal regulations pertinent to the non-agricultural accessory use being pursued. The requirements of or the permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations;

(10) Adequate off road parking, as determined by the Hearings Examiner, must be provided;

(11) Any waste created as a result of the non-agricultural accessory use must be disposed of off-site in compliance with all local, state, and/or federal regulations; and,

(12) The days and hours of operation shall be determined by the Hearings Examiner with the granting of a Conditional Use Permit.

(13) The non-agricultural accessory use shall not require a marijuana retail outlet license from the Washington State Liquor and Cannabis Board.

(v) Overnight lodging within a structure primarily used for processing of beer, wine, or spirits that meets the following criteria:

(1) The number of guest rooms may not exceed two (2); and,

(2) The area used for the guest rooms and associated with overnight lodging shall not exceed eight hundred square feet (800); and,

(3) The overnight lodging guest rooms shall meet Benton-Franklin Health District requirements for septic systems and domestic water usage shall be demonstrated; and,

(4) The overnight lodging guest rooms shall comply with all the applicable building code requirements.

(w) Events Facility on the same or adjoining parcel as a Winery/Brewery/Distillery, but not related to the operational and marketing of the business, such as weddings, receptions, and meetings/retreats shall be limited to not more than two hundred (200) guest or less, meet the following criteria as well as any other conditions required by the Hearings Examiner:

(1) The events facility shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the parcel;

(2) The events facility must be consistent with the size, scale, and intensity of the existing agricultural use of the parcel and the existing buildings thereon;

(3) The events facility, including any new buildings, parking or supportive uses associated therewith, shall be located within one thousand (1000) feet of the existing Winery/Brewery/Distillery structures and shall not otherwise convert more than one (1) acre of agricultural land to the use;

(4) The parcel and events facility shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state, and federal regulation pertinent to the events facility being pursued. The requirements of or the permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations;

(5) Adequate off road parking, as determined by the Hearings Examiner, must be provided;

(6) Any waste created as a result of the event facility must be disposed of off-site in compliance with all local, state, and/or federal regulations

(x) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.

(y) Recreation and entertainment activities centered on an agricultural theme. This may include activities such as field mazes, hayrides, sleigh rides, animal rides, petting zoos and other similar uses.

(z) Commercial sand and gravel pits, stone quarries, other mineral extraction, asphalt and/or concrete batching plants.

(aa) Veterinarian Clinics.

(bb) Shooting Range Facility.

(cc) Solar power generator facility, major.

(dd) Agri-tourism accommodations.

(ee) Agricultural research facility which conducts basic, applied, and/or developmental research of regional, national, or international concerns in the field of agriculture.

(ff) Commercial agricultural establishments that primarily provide storage, repair, or sale of irrigation, mechanical, and excavation service activities for use off premise.

(gg) Winery/Brewery/Distillery facility, including sampling, tasting, and sales of the product, may occur on an adjacent parcel from the site where the fruit or other products are processed, if both parcels are under the same ownership.

SECTION 4. Severability. If any provision of this Ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the Ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force upon its passage and adoption.

ADOPTED AND PASSED this _____ day of _____.

Chairman of the Board.

Chairman Pro-Tem.

Member.

Approved as to Form:



Deputy Prosecuting Attorney

Constituting the Board of
County Commissioners of
Benton County, Washington

Attest: _____
Clerk of the Board



PCM 1.3

NOTICE OF OPEN RECORD HEARINGS

NOTICE IS GIVEN that the following applications will be considered by the Benton County Planning Commission at public hearings on Tuesday, March 9th, 2021, at **6 p.m.**

OA 2021-001 - AN ORDINANCE relating to zoning, rural lands twenty acre district (RL-20), and growth management act agricultural district (GMAAD); amending the sections relating to uses requiring a conditional use permit and allowable uses; amending Ordinance 611, Section 53 and BCC 11.15.060; amending Ordinance 611, Section 60 and BCC 11.17.040; and amending Ordinance 611, Section 63 and BCC 11.17.070 to change the wind turbine setbacks to require that wind turbine tower bases must be setback from all dwellings not located on the same parcel at least 1,640 feet; to require that wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm, and that all wind turbine tower bases must be set back from the closest edge of a state, county or city road right-of-way a distance equal to the associated wind turbine height plus 50% of that height and also adding to the meteorological towers use to allow the gathering of data for wind and solar energy potential.

OS 2021-001 - An application by Laurel McKeehan and Michele Caron to change the land classification of their parcel to Open Space Land per RCW 84.34. The 15 acres of property is located on three parcels (1-2597-200-0003-000, 1-2597-200-0006-000 and 1-2597-200-0007-000) lying West of E. Jacobs Road and North of Dallas Road at 63609 E. Jacobs Rd, Benton City. The area is currently operating as a "Wildlife Rehabilitation Center" with the release of various birds on the site. This designation will allow the property owners to have their property valued at their current use rather than their highest and best use.

NOTICE IS FURTHER GIVEN that the proposed ordinance amendment has been reviewed under the requirements of the State Environmental Policy Act and a Determination of Non-Significance (DNS) was issued on February 5, 2021 and accordingly an Environmental Impact Statement was not required. Any comments regarding this determination and the environmental impacts of the proposal can be made at the Planning Commission Hearing as using the method noted below or in writing to the Benton County Planning Department by 5 p.m. on Monday March 8, 2021.

Due to Governor's "Stay Home, Stay Healthy" order the County Offices are closed to in person visits from the public at this time. In an effort to continue to provide public access to the Planning Commission meetings, Benton County will be providing telephonic and video access for the public to view and provide testimony at the Planning Commission meetings. **If you choose to join the meeting telephonically, we ask that you please limit background noise or mute your line to prevent any unnecessary interruption to the meeting. To find information on virtual attendance options, including streaming video, Webex video conferencing and telephone, please visit www.tinyurl.com/BCPublicNotice.**

If you wish to provide comments on any of the actions before the Planning Commission, we ask that you please fill out our online form (found at <https://tinyurl.com/testifyform>) and submit your request to our office. **You must submit a request form to participate for each hearing that you wish to attend.** If you prefer to make the request by phone, please call our office at 786-5612 and we can add you to the list for providing testimony. At the meeting the names of those wishing to testify will be called out and at that time you will be able to present your comments/concerns regarding the specific agenda item.

At this hearing, the Planning Commission may recommend approval, conditional approval, or disapproval of the applications to the Benton County Board of Commissioners. All parties concerned may present any support or objections for the application per the phone in instructions above. Information concerning the applications can be obtained at the Benton County Planning Department, by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser).

Dated at Prosser, Washington on this 17th day of February 2021.

Martin Sheeran, Chairman
BENTON COUNTY PLANNING COMMISSION

Greg Wendt, Director
COMMUNITY DEVELOPMENT DEPT.

PUBLISH ON: February 24, 2021

DETERMINATION OF NON-SIGNIFICANCE

Proponent: Benton County Community Development
Dept. - Planning Division
P.O. Box 910, Prosser WA 99350

File No. EA 2021-004

Project Description: Benton County is amending its development regulations for the Growth Management Agricultural District Ordinance of Benton County Code (BCC) 11.18.040 and BCC 11.18.070 and Rural Lands 20 Acre District - BCC 11.15.060 to change the wind turbine setbacks to require that wind turbine tower bases must be setback from all dwellings not located on the same parcel at least 1,640 feet; to require that wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm, and that all wind turbine tower bases must be set back from the closest edge of a state, county or city road right-of-way a distance equal to the associated wind turbine height plus 50% of that height.

Project Location: Countywide

Jurisdiction: Benton County, Washington

Lead Agency: Benton County Community Development Dept. - Planning Division

Threshold Determination: The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after review of a completed environmental checklist and other information on file with the lead agency. The environment threshold determination is based on an analysis of information contained in the following documents or the applicable regulations and restrictions of various agencies:

1. Benton County, BCC Title 6.35 Environmental Policy (SEPA);
2. Benton County, BCC Title 11, Zoning;
3. Benton County, BCC Title 9, Subdivisions;
4. Benton County Comprehensive Plan;
5. Benton County, BCC Title 15 Critical Area Ordinance;
6. Benton County, BCC Title 3 Building Code, Fire Code, and Road Standards;
7. Regulations of the Benton Clean Air Agency;
8. Regulations of the Washington State Department of Fish and Wildlife, Department of Transportation, Department of Ecology, Department of Natural Resources and Department of Archaeology and Historic Preservation; and

This DNS is issued under WAC197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by **February 19, 2021**.

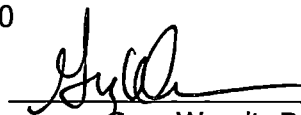
SEPA Responsible Official: Greg Wendt, Director

Position/Title: Benton County Community Development Dept.

Mailing Address: P.O. Box 910, Prosser WA 99350

Date: **February 5, 2021**

Signature



Greg Wendt, Director

DISTRIBUTION:

Applicant
News Media (Encl. map or plot plan)
Benton County Building Office
Dept. of Natural Resources-Olympia
Dept. of Natural Resources -Ellensburg
Benton Clean Air Authority
Bureau of Reclamation
Benton County Public Works
City of Kennewick
City of Richland
City of Benton City
City of Prosser
City of West Richland
Benton-Franklin Dist. Health Dept.
Kennewick Irrigation District
Kiona Irrigation District
Benton Irrigation District
Badger Mountain Irrigation District
Columbia Irrigation District
Sunnyside Valley Irrigation District
Roza Irrigation District
Department of Transportation
Port of Benton
Port of Kennewick
Washington State Department of Health
Department of Ecology - Olympia
Department of Ecology - Yakima
Corps of Engineers
Yakama Indian Nation
Fire District 1
Fire District 2
Fire District 3
Fire District 4
Fire District 5
Fire District 6
Fire Marshal
Tom Price, Environmental Review Inc.
Dept. of Agriculture
Conf. Tribes of the Umatilla Indian Reservation
Bureau of Land Management
Department of Fish and Wildlife
Office of Arch. & Historic Preservation
Futurewise
Dept. of Commerce
Dept. of Correction
Wash. State Conservation Commission
Bonneville Power Admin.
Dept. of the Navy
FFA

SEPA ENVIRONMENTAL CHECKLIST

File No. EA 2021-004

A. BACKGROUND

1. Name of proposed project, if applicable:

Ordinance to amend BCC 11.15.060 and BCC 11.17.040 and 11.17.070

2. Name of applicant:

Benton County Community Development
Planning Division
P.O. Box 910
Prosser, WA 99350 (509) 786-5612 or (509) 736-3086

3. Address and phone number of applicant and contact person:

Greg Wendt, Director
Benton County Community Development
Planning Division
P.O. Box 910
Prosser, WA 99350 (509) 786-5612 or (509) 736-3086

4. Date checklist prepared: February 4, 2021

5. Agency requesting checklist: Benton County

6. Proposed timing or schedule (including phasing, if applicable): March/April 2021

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

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.

Board of County Commissioners approval of the proposed ordinance amendments.

10. List any government approvals or permits that will be needed for your proposal, if known.

None

11. Give a 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.

Benton County is amending its development regulations for the Growth Management Agricultural District Ordinance (GMAD) of Benton County Code 11.18.070 and Rural Lands 20 Acre District to change the wind turbine setbacks to require that wind turbine tower bases must be setback from all dwellings not located on the same parcel at least 1,640 feet; to require that wind turbine tower bases must be set back from all property lines a distance equal to the associated wind turbine height plus 50% of that height, except that, where contiguous properties are leased for an identical duration for development of a wind farm, the tower bases set back from the property lines common with such leased properties may be eliminated so long as no part of any wind turbine extends past any such interior property lines and the above-required setbacks are maintained from the property lines comprising the exterior boundaries of the wind farm, and that all wind turbine tower bases must be set back from the closest edge of a state, county or city road right-of-way a distance equal to the associated wind turbine height plus 50% of that height;

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.

This ordinance amendment is a planning proposal and as such, not site specific project related. The proposed amendments to Ordinances will apply to all lands in unincorporated Benton County located within the Growth Management Agriculture Zoning District.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): Flat Rolling Hilly Steep Slopes Mountainous
General topographic characteristics vary greatly within Benton County and environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed.

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed **2. Air**

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters?

If yes, please describe and attach available plans.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site?
If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

4. Plants

- a. Check the types of vegetation found on the site: Deciduous tree (*alder, maple, aspen, other*)
 Evergreen tree (*fir, cedar, pine, other*)
 Shrubs
 Grass
 Pasture
 Crop or grain
 Orchards, vineyards or other permanent crops
 Wet soil plants (*cattail, buttercup, bullrush, skunk cabbage, other*)
 Water plants (*water lily, eelgrass, milfoil, other*)
 Other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. List threatened and endangered species known to be on or near the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: birds: hawk, heron, eagle, songbirds, other; mammals: deer, bear, elk, beaver, other; fish: bass, salmon, trout, herring, shellfish, other.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. List any threatened and endangered species known to be on or near the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

c. Is the site part of a migration route? If so, explain.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

e. List any invasive animal species known to be on or near the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 4) Describe special emergency services that might be required.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. Describe any structures on the site.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

d. Will any structures be demolished? If so, what?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

e. What is the current zoning classification of the site? Varies throughout the County.

f. What is the current comprehensive plan designation of the site? Varies throughout the County

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

i. Approximately how many people would reside or work in the completed project?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

j. Approximately how many people would the completed project displace?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: Follow guidelines from the Benton County Comprehensive Plan and Benton County Code.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing. None

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing. None
- c. Proposed measures to reduce or control housing impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

16. Utilities

a. Circle utilities currently available at the site:
electricity natural gas water refuse service telephone sanitary sewer system
other

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

C. SIGNATURE

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: Greg Wendt, Director

Position and Agency/Organization: Benton County Community Development

Date Submitted: February 4, 2021

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(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?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

a. Proposed measures to avoid or reduce such increases are:

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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?

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site-specific project. However, environmental evaluations for future site-specific projects will need to be conducted at the time a site-specific project is proposed

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

Not applicable, this is not a site specific project. However, if any threatened or endangered species are found during the review of a site specific project, compliance with Benton County Code Title 15-Environment (Protection of Critical Areas and Resources) is required. Also, the site specific project will need to comply with all local, state, and federal laws.

Donna Hutchinson

From: Johnson, Deborah L (DOH) <deborah.johnson@doh.wa.gov>
Sent: Friday, February 5, 2021 3:48 PM
To: Planning Department
Cc: DOH EPH SEPA
Subject: [EXTERNAL] RE: EA 2021-004 Determination of Non Significance-Agency Review

CAUTION: This email originated from outside of Benton County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Donna. I won't have any comments on this. Have a good weekend.

Deborah Johnson

Wellhead Protection Specialist
Office of Drinking Water
Environmental Public Health Division
Washington State Department of Health
deborah.johnson@doh.wa.gov
360-236-3133 | www.doh.wa.gov



From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, February 5, 2021 2:26 PM
Subject: EA 2021-004 Determination of Non Significance-Agency Review

External Email

The Benton County Planning Department has prepared the attached DNS in accordance with the State Environmental Policy Act regulation. This DNS is being circulated for review by all agencies with jurisdiction. We are circulating it for comments on the **environmental impacts** of this action. We appreciate your review of the proposal and return of comments no later than **February 19, 2021**. This proposal will not be acted upon before that time.



Donna Hutchinson
Office Assistant IV
Community Development
Dept. - Planning Division
P.O. Box 910
Prosser, WA 99350
509-786-5612

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

Prosser: We are now located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. Due to COVID 19 the Prosser Courthouse is currently closed to the public. Please contact us by email or phone.

Kennewick: The County has opened a new Public Services Office at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.

Donna Hutchinson

From: Cristina Woods
Sent: Thursday, February 11, 2021 10:03 AM
To: Planning Department
Subject: RE: EA 2021-004 Determination of Non Significance-Agency Review

Good morning

PW has no comments

Thank you



Cristina Woods, MS • *Engineering Tech III*
 Benton County Public Works
 102206 Wiser Parkway, WA, 99338
cristina.woods@co.benton.wa.us
 (509) 786-5611

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, February 5, 2021 2:26 PM
To: Badger Mountain Irrig. District <bmid@pocketinet.com>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; bidmitchell@frontier.com; Bureau of Land Management - Spokane <OR_Spokane_Mail@blm.gov>; Benton City Clerk - Jeni Zuniga <jzuniga@ci.benton-city.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; City of Kennewick - Greg McCormick <Greg.McCormick@ci.kennewick.wa.us>; City of Prosser - Steve Zetz <szetz@cityofprosser.com>; City of Richland - Stevens, Mike <mstevens@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Columbia Irrigation District <CID@columbiarrigation.com>; Confederated Tribes of the Umatilla Indian Reservation - Ashley M. Morton <AshleyMorton@ctuir.org>; Environmental Review, Inc. - Tom Price <envreview@gmail.com>; FAA - Joseph Jackson <joseph.a.jackson@faa.gov>; Fire District #1 - Billie <billie@bentonone.org>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Fire District #2 - R. Duncan <rduncan@bcfpd2.org>; Fire District #3 - Seth <SJohnson@westbentonfirerescue.org>; wwhealan@bcfd4.org; Fire District #4 - Deputy Chief Paul Carlyle (pcarlyle@bcfd4.org) <pcarlyle@bcfd4.org>; Fire District # 5 - Brian <brian@newhouseassociates.com>; chiefwatt@bcfd6.com; Futurewise - Alison Cable <alison@futurewise.org>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Kennewick Irrigation District - Ben Woodard <bwoodard@kid.org>; Kennewick Irrigation District - Seth Defoe <sdefoe@kid.org>; Kiona Irrigation District <kiid@owt.com>; MEDIA - KAPP/KVEW-TV <kappnews@kapptv.com>; KEPR General Newsroom <newsroom@keprtv.com>; MEDIA KOLU-FM - Martin Gibbs <kolu@kolu.com>; kvewnews@kvewtv.com; editor@recordbulletin.com; MEDIA - Tri-City Herald - Sarah Schilling <sshilling@tricityherald.com>; Port of Benton - Bud Zeck <budzeck@portofbenton.com>; Port of Kennewick - Larry Peterson <lpeterson@portofkennewick.org>; Roza Irrigation District - Steve Hayman <shayman@roza.org>; Sunnyside Valley Irrigation District - Rigo Diosdado <diosdador@svid.org>; US Army Corps of Engineers - David Moore <David.J.Moore@usace.army.mil>; US Army Corps of Engineers - Real Estate Division <cenww-re@usace.army.mil>; US Army Corps of Engineers - Tim Erkel <tim.r.erkel@usace.army.mil>; US Navy - Kimberly Peacher <kimberly.peacher@navy.mil>; WA Dept of Agriculture - Jada Burrell <jada.burrell@sc.usda.gov>; WA Dept of Archaeology and Historic Preservation (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; WA Dept of Commerce - William

Simpson <william.simpson@commerce.wa.gov>; Dept. of Fish and Wildlife - Eric Bartrand <bartrelb@dfw.wa.gov>; Dept. of Fish and Wildlife - Mark Teske <Mark.Teske@dfw.wa.gov>; Dept. of Fish and Wildlife - Michael W. Ritter <rittemwr@dfw.wa.gov>; WA Dept of Fish and Wildlife SEPA Desk <SEPADesk@dfw.wa.gov>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; WSDOT - Aviation Airports and Land Use (plattst@wsdot.wa.gov) <plattst@wsdot.wa.gov>; WA Dept of Transportation - Paul Gonseth <Gonsetp@wsdot.wa.gov>; WA Dept of Transportation - SEPA Review - TDM Coordinator <scplanning@wsdot.wa.gov>; Yakama Indian Nation (SEPA) - Elizabeth Sanchez <esanche@yakama.com>; Yakama Indian Nation Environmental Review - Thalia Sachtleber <enviroreview@yakama.com>; SEPA Review - Washington Dept of Health <SEPA.reviewteam@doh.wa.gov>; Yakima Indian Nation-John Marvin <john_marvin@yakama.com>; BPA <almarshall@bpa.gov>; WA Dept of Health - Kelly Cooper - WA Dept of Health - Kelly Cooper (SEPA.reviewteam@doh.wa.gov) <SEPA.reviewteam@doh.wa.gov>; emcnagny@agr.wa.gov; nabr461@ecy.wa.gov; hugo.flores@dnr.wa.gov; deborah.johnson@doh.wa.gov; changt@wsdot.wa.gov; Dept. of Archaeology and Historic Preservation <greg.griffith@dahp.wa.gov>; peter.herzog@parks.wa.gov; eric.heinitz@doc.wa.gov; rsshultz@scc.wa.gov; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>; Brian Bell <Brian.Bell@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Dept. of Ecology - Gwen Clear <crosepacoordinator@ecy.wa.gov>; Dept. of Ecology SEPA Unit <SEPAUNIT@ecy.wa.gov>; WA Dept of Ecology - Lori White <Lori.White@ecy.wa.gov>; WA State Dept. of Ecology SEPA Register <separegister@ecy.wa.gov>; Bureau of Reclamation - C. Garner (cgarner@usbr.gov) <cgarner@usbr.gov>; Bureau of Reclamation - L Hendrix - Bureau of Reclamation (lhendrix@usbr.gov) <lhendrix@usbr.gov>; Bureau of Reclamation -McKinley (cmckinley@usbr.gov) <cmckinley@usbr.gov>

Subject: EA 2021-004 Determination of Non Significance-Agency Review

The Benton County Planning Department has prepared the attached DNS in accordance with the State Environmental Policy Act regulation. This DNS is being circulated for review by all agencies with jurisdiction. We are circulating it for comments on the **environmental impacts** of this action. We appreciate your review of the proposal and return of comments no later than **February 19, 2021**. This proposal will not be acted upon before that time.



Donna Hutchinson
Office Assistant IV
Community Development
Dept. - Planning Division
P.O. Box 910
Prosser, WA 99350
509-786-5612

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

Prosser: We are now located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. **Due to COVID 19 the Prosser Courthouse is currently closed to the public. Please contact us by email or phone.**

Kennewick: The County has opened a new Public Services Office at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.

Donna Hutchinson

From: Blaine Broberg <BBroberg@kid.org>
Sent: Tuesday, February 16, 2021 12:59 PM
To: Planning Department
Cc: Daniel Tissell; Lori Gibson
Subject: [EXTERNAL] RE: EA 2021-004 Determination of Non Significance-Agency Review

CAUTION: This email originated from outside of Benton County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Hutchinson,

Please have the wind turbine setback criteria include USBR and Kennewick Irrigation District Easements and Rights-of-Way

Thanks,
 Blaine Broberg, EIT
 Staff Engineer
Kennewick Irrigation District
 2015 S. Ely Street
 Kennewick, WA 99337
 Office: (509)586-6012 ext. 138
 Cell: (509)873-2089

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, February 5, 2021 2:26 PM
To: Badger Mountain Irrig. District <bmidi@pocketinet.com>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; bidmitchell@frontier.com; Bureau of Land Management - Spokane <OR_Spokane_Mail@blm.gov>; Benton City Clerk - Jeni Zuniga <jzuniga@ci.benton-city.wa.us>; City of Kennewick - CEDInfo <cedinfo@ci.kennewick.wa.us>; City of Kennewick - Greg McCormick <Greg.McCormick@ci.kennewick.wa.us>; City of Prosser - Steve Zetz <szetz@cityofprosser.com>; City of Richland - Stevens, Mike <mstevens@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Columbia Irrigation District <CID@columbiairrigation.com>; Confederated Tribes of the Umatilla Indian Reservation - Ashley M. Morton <AshleyMorton@ctuir.org>; Environmental Review, Inc. - Tom Price <envreview@gmail.com>; FAA - Joseph Jackson <joseph.a.jackson@faa.gov>; Fire District #1 - Billie <billie@bentonone.org>; lonnie@bentonone.org; Fire District #1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Fire District #2 - R. Duncan <rduncan@bcfpd2.org>; Fire District #3 - Seth <SJohnson@westbentonfirerescue.org>; wwhealan@bcfd4.org; Fire District #4 - Deputy Chief Paul Carlyle (pcarlyle@bcfd4.org) <pcarlyle@bcfd4.org>; Fire District #5 - Brian <brian@newhouseassociates.com>; chiefwatt@bcfd6.com; Futurewise - Alison Cable <alison@futurewise.org>; Development <development@kid.org>; Ben Woodard <BWoodard@kid.org>; Seth Defoe <SDefoe@kid.org>; Kiona Irrigation District <kiid@owt.com>; MEDIA - KAPP/KVEW-TV <kappnews@kapptv.com>; KEPR General Newsroom <newsroom@keprrtv.com>; MEDIA KOLU-FM - Martin Gibbs <kolu@kolu.com>; kvewnews@kvewtv.com; editor@recordbulletin.com; MEDIA - Tri-City Herald - Sarah Schilling <sshilling@tricityherald.com>; Port of Benton - Bud Zeck <budzeck@portofbenton.com>; Port of Kennewick - Larry Peterson <lpeterson@portofkennewick.org>; Roza Irrigation District - Steve Hayman <shayman@roza.org>; Sunnyside Valley Irrigation District - Rigo Diosdado <diosdador@svid.org>; US Army Corps of Engineers - David Moore <David.J.Moore@usace.army.mil>; US Army Corps of Engineers - Real Estate Division <cenww-re@usace.army.mil>; US Army Corps of Engineers - Tim Erkel <tim.r.erkel@usace.army.mil>; US Navy - Kimberly Peacher <kimberly.peacher@navy.mil>; WA Dept of Agriculture - Jada Burrell <jada.burrell@sc.usda.gov>; WA Dept of Archaeology and Historic Preservation (sepa@dahp.wa.gov)

<sepa@dahp.wa.gov>; WA Dept of Commerce - William Simpson <william.simpson@commerce.wa.gov>; Dept. of Fish and Wildlife - Eric Bartrand <bartrelb@dfw.wa.gov>; Dept. of Fish and Wildlife - Mark Teske <Mark.Teske@dfw.wa.gov>; Dept. of Fish and Wildlife - Michael W. Ritter <rittemwr@dfw.wa.gov>; WA Dept of Fish and Wildlife SEPA Desk <SEPADesk@dfw.wa.gov>; DNR Sepa Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; WSDOT - Aviation Airports and Land Use (plattst@wsdot.wa.gov) <plattst@wsdot.wa.gov>; WA Dept of Transportation - Paul Gonseth <Gonsetp@wsdot.wa.gov>; WA Dept of Transportation - SEPA Review - TDM Coordinator <scplanning@wsdot.wa.gov>; Yakama Indian Nation (SEPA) - Elizabeth Sanchez <esanchez@yakama.com>; Yakama Indian Nation Environmental Review - Thalia Sachtleber <enviroreview@yakama.com>; SEPA Review - Washington Dept of Health <SEPA.reviewteam@doh.wa.gov>; Yakima Indian Nation-John Marvin <john_marvin@yakama.com>; BPA <almarshall@bpa.gov>; WA Dept of Health - Kelly Cooper - WA Dept of Health - Kelly Cooper (SEPA.reviewteam@doh.wa.gov) <SEPA.reviewteam@doh.wa.gov>; emcnagny@agr.wa.gov; nabr461@ecy.wa.gov; hugo.flores@dnr.wa.gov; deborah.johnson@doh.wa.gov; changt@wsdot.wa.gov; Dept. of Archaeology and Historic Preservation <greg.griffith@dahp.wa.gov>; peter.herzog@parks.wa.gov; eric.heinitz@doc.wa.gov; rsshultz@scc.wa.gov; john.lyle@bentoncleanair.org; Benton Clean Air - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air Authority - Robin Priddy <robin.priddy@bentoncleanair.org>; Brian Bell <Brian.Bell@co.benton.wa.us>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Dept. of Ecology - Gwen Clear <crosepacoordinator@ecy.wa.gov>; Dept. of Ecology SEPA Unit <SEPAUNIT@ecy.wa.gov>; WA Dept of Ecology - Lori White <Lori.White@ecy.wa.gov>; WA State Dept. of Ecology SEPA Register <separegister@ecy.wa.gov>; Bureau of Reclamation - C. Garner (cgarner@usbr.gov) <cgarner@usbr.gov>; Bureau of Reclamation - L Hendrix - Bureau of Reclamation (lhendrix@usbr.gov) <lhendrix@usbr.gov>; Bureau of Reclamation -McKinley (cmckinley@usbr.gov) <cmckinley@usbr.gov>
Subject: EA 2021-004 Determination of Non Significance-Agency Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Benton County Planning Department has prepared the attached DNS in accordance with the State Environmental Policy Act regulation. This DNS is being circulated for review by all agencies with jurisdiction. We are circulating it for comments on the **environmental impacts** of this action. We appreciate your review of the proposal and return of comments no later than **February 19, 2021**. This proposal will not be acted upon before that time.



Donna Hutchinson
Office Assistant IV
Community Development
Dept. - Planning Division
P.O. Box 910
Prosser, WA 99350
509-786-5612

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

Prosser: We are now located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. **Due to COVID 19 the Prosser Courthouse is currently closed to the public. Please contact us by email or phone.**

Kennewick: The County has opened a new Public Services Office at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.