

**DATE:** August 5, 2010  
**TO:** Interested Agencies and Interested Parties  
**FROM:** Ardele Steele, Planning Official / SEPA Responsible Official

**SUBJ:** File No. ER 2010-07 - Update of existing Critical Areas regulations; and update of the Comprehensive Goals and Policies for Critical Areas;  
Notice of Environmental Review -- Determination of Non-Significance  
Notice of Public Hearing

**DESCRIPTION OF PROPOSAL**

City of Zillah is proposing to update its Critical Areas *Development Regulations* and *Comprehensive Plan* goals and policies relating to Critical Areas. The documents are proposed to be adopted to allow the city with critical area jurisdiction to comply with state law. Information on this project can be obtained in the City Hall office. Documents and extensive information on this project can also be accessed on the city website at: <http://www.cityofzillah.us/planningdept.html>.

**LOCATION:** City of Zillah

**COMMENT AND APPEAL INFORMATION**

Your views on the proposal are welcome, and you may provide written comments on issues related to the proposal. All written comments received by 5:00 p.m., August 31<sup>st</sup>, 2010 will be considered prior to making any final decisions. Mail your comments on this project to the City of Zillah, P.O. Box 475, Zillah, WA 98953. Be sure to reference the above file number in your correspondence. Notice of the Planning Commission recommendation on the Plan and regulation changes will be sent to those who comment, or may be obtained upon request at Zillah City Hall. There is no administrative appeal of the final threshold determination. If you have any questions on this proposal, please call Ardele Steele, Associate Planner at 509-829-5151.

**ENVIRONMENTAL REVIEW**

This proposal is subject to environmental review. The City of Zillah is lead agency for this proposal under the State Environmental Policy Act (SEPA). The environmental checklist and other information on file with the City of Zillah are available to the public upon request. City of Zillah is issuing the attached DNS for comment. After all comments have been received and considered, this decision will be finalized without additional comment. **Any environmental appeal will be heard at the open record public hearing.**

**NOTICE OF OPEN RECORD& CLOSED RECORD PUBLIC HEARINGS**

An open record public hearing on the proposal is scheduled before the City of Zillah Planning Commission to consider and make recommendations on the proposal.

**Tuesday, October 5th, 2010**  
**City of Zillah Council Chambers, 111 7<sup>th</sup> Street, Zillah, WA 98953**  
**Public Hearing - 7:00 p.m.**

The City Council will also hold a closed record Public Hearing to decide on the proposal:

**Monday, November 1<sup>st</sup>, 2010**  
**City of Zillah Council Chambers, 111 7<sup>th</sup> Street, Zillah, WA 98953**  
**Public Hearing - 7:00 p.m.**

The hearing will be open to consideration of the environmental documents. Written comments may be provided at the hearing, or submitted as described above. Interested parties may request copies of the hearing notice or participate in the hearing.

Encl.: DNS – Interested Parties and Agencies  
Checklist – Agencies

**DETERMINATION OF NON-SIGNIFICANCE  
AND  
INCORPORATION OF ENVIRONMENTAL DOCUMENTS**

1. **Description of Proposal:** City of Zillah is proposing to update its Critical Areas Ordinance (CAO) development regulations and Comprehensive goals and policies relating to critical areas. These documents are being adopted within the city limits to allow Zillah to comply with state law. Information on this project can be obtained in our offices.
2. **Proponent:** City of Zillah  
503 First Avenue  
P.O. Box 475  
Zillah, WA 98953
3. **Location of Proposal:** City of Zillah
4. **Lead Agency:** City of Zillah
5. **File Number:** ER 2010-07
6. **Incorporation by Reference of Existing Environmental Documents:**  
The following documents are incorporated by reference as allowed under WAC 197-11-635:
  - SEPA/GMA Integrated Environmental Analysis for the Yakima County Comprehensive *Plan 2015*
  - Final Determination of Non-Significance for the 2007 Yakima County Regional Shoreline Master Program, File Number (ER 2008-10)
  - Yakima County Review of Best Available Science for Inclusion in the Critical Areas Ordinance Update- October 2006

Environmental impacts of the existing critical areas policies and regulations were previously considered through Yakima County's environmental review of their comprehensive plan and the existing regional Shoreline Master Program. Environmental impacts of the critical areas were previously considered through the environmental review of that document. The proposed changes to the Critical Areas regulations are primarily generated to comply with the growth management and Shoreline guidelines.

7. **Determination:**  
The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a careful review of the completed environmental checklist, referenced environmental documents, and other information on file with the lead agency. This information (including all environmental documentation) is available to the public on request and can be examined in our offices during regular business hours, or on the project website noted above.
8. **Comment Period:** This DNS is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for at least 15 days from the date of issuance. You may submit comments on the environmental impacts of this proposal to the address below before 5 p.m. on **August 31<sup>st</sup>, 2010**. Be sure to clearly distinguish comments on the environmental impacts from comments on other issues of the proposal. For information on the comment process, or on other issues relating to this proposal, contact Ardele Steele, Associate Planner at 509-829-5151.