

MITIGATED DETERMINATION OF NON-SIGNIFICANCE

File No. TD 2024-03

DESCRIPTION OF PROPOSED ACTION: In exchange for a slope easement, the Kennewick Irrigation District (KID) is proposing to fill in an existing, unused irrigation pond located on parcel 135972011926003 directly adjacent to KID right-of-way where the canal lining project under file TD 2020-04 is taking place. The pond will be filled in with the existing embankment that was constructed using material from the excavated pond during the original pond construction.

PROPONENT: Kennewick Irrigation District (KID)

LOCATION: The proposal location is within Section 35, Township 09 North, Range 27 East of the Willamette Meridian, Benton County, WA at 5105 N Canyon View PR NE, Benton City, WA 99320 (Parcel: 135972011926003).

RESPONSIBLE SEPA OFFICIAL: Seth Defoe, Land and Water Resources Manager

THRESHOLD DETERMINATION: KID, the lead agency for this proposal, has determined that the proposal 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) and Chapter 197-11 WAC. This decision was made after review of a completed SEPA Environmental Checklist dated January 5, 2024, and other information on file with the lead agency. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request. The checklist attachments and reference documents can be viewed at www.kid.org.

In accordance with KID Policy 8.1 and WAC 197-11-350, the lead agency for this proposal has determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance (DNS) for this proposal; that such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this policy; that the mitigation measures included in such conditions are reasonable and capable of being accomplished; that it has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; that such conditions are based on one or more policies in KID Policy 8.1; and that such conditions will be in writing in a decision document.

These mitigation measures are conditions of approval imposed pursuant to RCW 43.21C.060 and KID Policy 8.1; and are enforceable under the procedures of KID Policy 8.1. These mitigation measures include the following:

Mitigated Determination of Non-significance Terms and Conditions

1. Earth

- a. Best Management Practices will be utilized to reduce erosion at the project site during construction activities.

2. Air

- a. Best Management Practices, such as watering, will be used to minimize and control fugitive dust during the construction project.
- b. Compliance with the applicable regulations of the Benton County Clean Air Authority regarding dust control shall be met.
- c. Construction vehicles and machinery will not be allowed to idle during periods when they are not in use.
- d. Utilize equipment and machinery that meets relevant state and federal emissions standards.

3. Historic and Cultural Preservation

- a. If any possible cultural material is encountered during the project, work must be suspended at that location and the Reclamation Archaeologist contacted, along with DAHP and the appropriate Native American Tribes.
- b. In the event of the inadvertent discovery of human remains, all work in the vicinity of the find will be halted and the authorized KID official and Reclamation Archaeologist notified immediately, along with DAHP and the appropriate Native American Tribes.
- c. Compliance with all other applicable laws pertaining to archaeological resources is required, including KID's Inadvertent Discovery Plan (IDP).

4. Plants

- a. If the project begins in the fall season, sagebrush laden with seed that is found on site that will be impacted by the project will be lopped and staked into the ground per the methodology described in McAdoo and Schultz in suitable areas located in the project area or the adjacent KID right-of-way.
- b. Upon completion of the grading work, hydroseeding with a native seed mix will occur on disturbed areas in the project area.

5. Animals

- a. All work on the site shall begin before the spring and summer songbird nesting season begins (February 1 – July 31), as any birds that move into an area with pre-

existing construction noise and activities are often more acclimated to the noise and therefore less likely to experience disturbance due to construction. If this requirement cannot be met, as an alternative, a nesting bird survey will need to be completed before work commences that disturbs standing vegetation on the site, or the work will need to begin after the season ends on July 31.

- b. All work that disturbs sagebrush shall be completed before the spring and summer songbird nesting season begins (February 1 – July 31). If this requirement cannot be met, as an alternative, a nesting bird survey will need to be completed before work commences that disturbs standing vegetation on the site, or the work will need to begin after the season ends on July 31.

Kennewick Irrigation District

RESPONSIBLE	_____	DATE: <u>03/08/2024</u>
OFFICIAL:	Seth Defoe	
TITLE:	Land and Water Resources Manager	
ADDRESS:	Kennewick Irrigation District 2015 South Ely Street Kennewick, WA 99337 sdefoe@kid.org (509) 586-6012	

APPEALS: This DNS is issued under KID Regulation and WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days. There is no administrative appeal provided. Any appeal of this DNS must be filed with the governmental action. RCW 43.21C.075.