

3. Errata Sheet: Revisions, Corrections, and Clarifications to the Draft EIS

Note: To the extent that changes in this section affect the summary of potential impacts and mitigation measures for the City Heights proposal, these changes have also been made in the Final EIS Summary, Table 1.5-1.

Chapter 1: Summary

1.5 Cumulative Effects. The modification below to Draft EIS page 1-52 has been made in the Final EIS Summary, in which Cumulative Effects is Section 1.6 (page 1-61):

Central Cascades Land Company

The Central Cascades Land Company ownership consists of four parcels north and west of the former City of Roslyn sewage lagoons (see Figure 1.5-1). This site has access from Alliance Road regardless of whether development occurs on the City Heights site, and is not contiguous with City Heights. ~~On January 23, 2008, Central Cascades Land Company submitted an application to the City of Cle Elum requesting annexation of 90 acres of land to be developed for light industrial uses. This property is now within the City of Cle Elum Urban Growth Area; annexation has occurred, but has not yet demonstrated proof of water availability to serve light industrial development of the site. Annexation has not occurred, and no conceptual land use plan or development application has been submitted to the City.~~

Chapter 2: Description of the Proposed Action and Alternatives

2.9 Infrastructure

2.9.4.1 Points of Connection to Existing Roadway Network (modify page 2-27 as follows)

Haul routes for construction traffic will be addressed with the City or County Public Works Director (depending on the Alternative selected for implementation) prior to the initiation of any construction activity.

2.9.4.4 Proportionate-Share Transportation System Improvements

Modify footnote 6 on page 2-37 as follows:

⁶ “Poor levels of service” in the context indicated above would be below Level of Service (LOS) D, ~~adopted by the City of Cle Elum in January 2010 as the City’s acceptable level of service for intersection operations.~~ The concept of level of service is defined in Draft EIS Section 3.16: Transportation, Subsection 3.16.5.

Chapter 3: Affected Environment, Potential Impacts, and Mitigation Measures

3.4 Wetlands and Streams

3.4.1 Wetlands

MITIGATION MEASURES

Applicable Regulations (insert to page 3.4-9)

A U.S. Army Corps of Engineers Section 404 permit may be required for wetland fill at the location of road widening/road construction (if on-site wetlands are determined to be in continuity with waters of the U.S.). If a Section 404 permit is required, Section 401 Water Quality Certification would be required from the Washington Department of Ecology. If a Section 404 permit is not required, Ecology can use an Administrative Order to authorize impacts to isolated wetlands under 90.49 RCW.

3.4.2 Streams

AFFECTED ENVIRONMENT

Stream E

Modify the description of Stream E (page 3.4-14) as follows:

A feature described as “Stream E” in the *City Heights, City of Cle Elum Wetlands and Wildlife Report* (Sewall Wetland Consulting, Inc., October 26, 2009) is a small intermittent flowing channel located within a natural drainage way ravine-type landform just west of Stream B (see Figure 3.4-1). Upon closer inspection at the beginning of the 2010–2011 wet season, it was clear that the area of this feature is an old skid road that has become overgrown. A tire rut formed throughout the western edge of this feature was originally identified as a channel. Based on new observations in October 2010 reported in an Addendum to the October 26, 2009 report (Sewall Wetland Consulting, Inc., November 3, 2010), the feature previously identified as Stream E may not actually carry any water on an annual basis, and may not truly meet the definition of a stream. If it does carry water within the rutted channel, it may only be at the time of occasional snow melts and may be much shorter in length than originally identified, possibly all located off-site to the south. This area appears to only have flow in the Spring during snowmelt, and is characterized by a narrow (1 ft wide) gravel and sand bottom channel in a densely shrub covered ravine. This stream leaves the site and enters a culvert passing under existing homes located along the Fourth Street alley west of Montgomery Avenue. Just off-site to the south, the feature appears to have a more natural stream-like channel prior to being directed through an 18-inch diameter wood pipe culvert under a gravel roadbed. This culvert was observed in October 2010 to be totally plugged and showing no evidence of any water passing through it in recent time. It is possible that the culvert was just placed to allow seasonal snowmelt to pass under the road. Sewall Wetland Consulting, Inc. proposes to monitor this channel over the winter and spring of 2010–2011 to see if it actually carries any water. If it does not, the findings will be documented and the feature identified as Stream E will be removed from the City Heights site plan.

The WDNr FPARS Maps do not show Stream E. Under the older WDNr stream typing system used by the City of Cle Elum and Kittitas County, if the feature identified as Stream E is found to meet the definition of would be considered a Type 4 stream due to its (narrow channel and lack of use by fish use), Cle Elum Municipal Code would typically requires Type 4 streams to have a 25-ft buffer measured from

the OHWM. Under Kittitas County Code, Type 4 waters are typically required to have a 10 to 20-ft wide buffer measured from the OHWM. If as a result of monitoring this feature during the winter and spring of 2010–2011 it is found not to meet the definition of a stream, there would be no buffer requirement for this feature.

POTENTIAL IMPACTS DURING CONSTRUCTION

Modify the last paragraph of this subsection (page 3.4-15) as follows:

Streams AA, BB, and E – if the latter is confirmed to be a stream – and their associated buffers would not be impacted by development as shown in the Alternative 1, 2, or 3A conceptual land use plans.

3.15 Historic and Cultural Resources (modify page 3.15-1 as follows)

This section summarizes the *Archaeological Review and Inventory of the City Heights Development Project, Cle Elum, Kittitas County, Washington* (Reiss-Landreau, August 14, 2009). This report was reviewed and accepted by the Yakama Nation Tribal Archaeologist (David Powell), and by the Washington State Department of Archaeology and Historic Preservation (DAHP) Local Government Archaeologist (Gretchen Kaehler) prior to the information being used to prepare this section of the Environmental Impact Statement. ~~No Two cultural resource sites were identified on the property during the course of this survey: coal waste piles associated with Mine No. 5 and Mine No. 7. These sites would not provide information important to history in and of themselves. Additional documentation¹ submitted to and reviewed by DAHP during preparation of the City Heights Final EIS resulted in a DAHP determination that the coal waste piles are not eligible for listing on the National Register of Historic Places.² Therefore, the cultural resources consultant recommends a finding of No Impact for the purposes of this proposed development.~~

AFFECTED ENVIRONMENT (modify page 3.15-1 as follows)

~~Two historic cultural resource features were encountered and noted in the field as part of the City Heights inventory. Both of these features are coal slag pile complexes that relate to the historic mining industry once predominant in the Cle Elum-Roslyn area. At the western end of the City Heights site (Area A) are coal slag piles left by the NWI No. 5 mine that operated until 1947, and later strip mining activities (1944–1960s). At the center of the site (Area D2), previously-recorded site 45KT1960 was encountered, and is considered potentially eligible as contributory to the No. 7 mine well north of the City Heights property. Neither of these features has any built infrastructure. Reiss-Landreau Research recorded site forms for these areas with the Washington State Department of Archeology and Historic Preservation, noting that as individual features they are disturbed and may lack the requisite site integrity for listing.~~

MITIGATION MEASURES

Applicable Regulations (insert to page 3.15-2)

Under RCW 27.53, historic archaeological resources are not protected by law unless they are listed in or eligible for listing in the Washington Heritage Register (WHR) or the National Register of Historic

¹ Letter in response to Log: 060310-05-KT, re: Archaeological Review and Inventory of the City Heights Development Project, Cle Elum, Kittitas County, Washington (Reiss-Landreau Research, July 11, 2010).

² Letter in response to Log: 060310-05-KT, re: 45KT1960 and 45KT3054 Determined not eligible as contributing elements for Mines No. 5 and No. 7 (Washington State Department of Archaeology & Historic Preservation, September 10, 2010).

Places (NRHP). DAHP administers the WHR. The NRHP is maintained by the National Park Service, U.S. Department of the Interior. Under the National Historic Preservation Act (1966) it is the State Historic Preservation Officer's responsibility to identify eligible properties for listing on the NRHP. In the State of Washington, the SHPO resides at DAHP; therefore, it is DAHP's responsibility to make the determination of eligibility when historical archaeological sites are identified. In response to comments submitted by DAHP on the City Heights Draft EIS, the project archaeologist prepared additional documentation for DAHP's consideration regarding the eligibility determination for the coal waste piles on the City Heights property. DAHP issued a determination on September 10, 2010, that the coal waste piles are not eligible for listing on the National Register of Historic Places, and have been satisfactorily documented. No further archaeological work or documentation is required.²

Other Recommended Mitigation Measures (page 3.15-3)

Delete this subsection. It is no longer applicable as a result of the DAHP September 10, 2010 letter to the City of Cle Elum.

~~The cultural resources consultant (RLR) recommends, for consideration by City of Cle Elum decision makers, that construction disturbance in Areas A and D2 of the City Heights site be avoided until such time as a potential historic mining district can be documented and recorded (if requested by the Washington State Department of Archaeology and Historic Preservation). The City Heights site does not encompass the entire historical mining district; rather, it lies between two areas of mining activity that occurred further up the slope and beneath downtown Cle Elum.~~

SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS (page 3.15-3)

Delete the second paragraph of this subsection. It is no longer applicable as a result of the DAHP September 10, 2010 letter to the City of Cle Elum.

~~If the coal slag piles in Areas A and D2 of the City Heights site are avoided until mitigated, there would be no direct effects to historic resources on the site as a result of the proposed development (Reiss-Landreau, August 14, 2009). Mitigation in this case would consist of the next level of recordation with the Washington Department of Archaeology and Historic Preservation (personal communication with Chris Landreau, Cultural Resources Consultant, Reiss-Landreau Research, September 28, 2009).~~

3.16 Transportation

3.16.3 Level of Service (modify page 3.16-12 as follows):

There are several types of traffic operations that can be evaluated through level of service. The primary analyses are concerned with intersection operations. ~~As of January 2010, the City of Cle Elum uses had not yet formally taken action to adopt a Level of Service D as its standard for acceptable intersection operations at the time of this writing.~~

MITIGATION MEASURES

Mitigation Measures Included in the Development Proposal (modify page 3.16-30 as follows):

Haul routes for construction traffic will be addressed with the City or County Public Works Director (depending on the Alternative selected for implementation) prior to the initiation of any construction activity. Provisions will be made in the Development Agreement to be negotiated between the City and

the project proponent, or in the conditions of project approval if an Alternative is selected for development within the County, for restoration of road surfaces damaged by construction traffic (if any).

Applicable Regulations (modify page 3.16-31 as follows):

Alternative 1 – Preferred. In addition to complying with City of Cle Elum road improvement standards, the City Heights project would be required to obtain a permit from the Washington State Department of Transportation (WSDOT) and comply with State standards specified in that permit for any improvements constructed on SR 903 or other roads under WSDOT jurisdiction.

Alternative 2 – Reduced Residential Density. The same regulations would apply for Alternative 2 as those described for Alternative 1. Modifications to the intersection of SR 903/Alliance Road should be made in consultation with the Cle Elum-Roslyn School District as well as WSDOT. To the extent that intersection improvements on SR 903 would involve a County road (such as Alliance Road), consultation would also be required with Kittitas County Public Works.

Alternative 3A – No Annexation, Development within the County under Single Ownership. Under Alternative 3A, roadways would be designed and constructed to Kittitas County standards. Improvements to intersections with SR 903 or other State highways would require compliance with WSDOT standards through a permit to be obtained from this agency. If the intersecting roadways are County roads, these improvements would also require consultation with Kittitas County Public Works.

Cle Elum City Heights Fiscal Analysis (Property Counselors, March 2010)

Note: There changes to the *Fiscal Analysis* technical report are shown in the November 2010 version of the report included on the CD of City Heights Draft EIS, Final EIS, and Technical Report electronic files.

SUMMARY: Capital Cost Impact (modify *Fiscal Analysis* technical report page 6 as follows):

If needed, classrooms and support facilities could be provided through the construction of new facilities, the expansion of existing facilities, or utilization of modular facilities. The School District's Capital Facilities Plan calls for, among other things, the construction of a new high school campus. Construction of a new campus (classrooms, offices, gymnasium, recreational facilities, etc) would need to be financed through the issuance of voter-approved bonds. The City School District has the ability to issue bonds approved by the voters (including new residents within City Heights) to complete a new campus and may choose to support such an initiative in the future; however, if bonds were not approved by the voters, options other than an entire new campus would need to be utilized to accommodate transitional growth in student enrollment.

SUMMARY: Capital Cost Impact (modify *Fiscal Analysis* technical report page 6 as follows):

The Development Agreement to be negotiated between the City of Cle Elum, ~~and~~ the project proponent, and the School District will provide for funding options satisfactory to the School District to provide a means to finance the facilities needed to accommodate the growth in student population attributable to development of City Heights.

AFFECTED ENVIRONMENT AND CURRENT FISCAL CONDITIONS: Taxing Districts
 (modify *Fiscal Analysis* technical report Table 4, page 11, as follows) :

Table 4. Taxing Districts and Tax Rates

	City Jurisdiction	County Jurisdiction
State	\$2.018444	\$2.018444
Kittitas County Current Expense	0.892025	0.892025
Kittitas County Road District		1.102931
City of Cle Elum	1.297042	
Kittitas County Fire District 7		0.54545
Cle Elum Roslyn School-Levy	<u>0.624122</u>	<u>0.624122</u>
Cle Elum Roslyn School-Bond	<u>0.254811</u>	<u>0.254811</u>
Hospital District 2	0.325838	0.325838
Total	\$5.412282	\$5.763621

COMPARISON OF OPERATING IMPACTS: Cle Elum-Roslyn School District
 (modify *Fiscal Analysis* technical report Table 18, page 29, as follows):

Table 18. Comparison of Operating Impacts, Cle Elum-Roslyn School District (\$2009)

Assumptions	1. Preferred Alternative	2. Reduced Residential Density	3A. No Annexation Single Ownership	3B. No Annexation Multiple Ownerships	4. No Action
Student Population	228	199	199	121	-
Operating Cost per Student	\$9,314	\$9,314	\$9,314	\$9,314	-
State Funding per Student	\$6,894	\$6,894	\$6,894	\$6,894	-
Federal Funding per Student	\$617	\$617	\$617	\$617	-
Local Share as Percent of Other	0	0	0	0	-
Levy Rate – Operating	<u>0.624122</u>	<u>0.624122</u>	<u>0.624122</u>	<u>0.624122</u>	-
Levy Rate – Bond	<u>0.254811</u>	<u>0.254811</u>	<u>0.254811</u>	<u>0.254811</u>	-
Projected Operating Revenue					
Local Funding	\$411,003	\$359,249	\$359,249	\$218,599	-
State Funding	\$1,571,836	\$1,373,909	\$1,373,909	\$836,007	-
Federal Funding	\$140,676	\$122,962	\$122,962	\$74,821	-
Total	\$2,123,515	\$1,856,121	\$1,856,121	\$1,129,426	-
Operating Expense	\$2,123,515	\$1,856,121	\$1,856,121	\$1,129,426	-
Estimated Net Annual Surplus	-	-	-	-	-
Annual Contribution to Bond	\$190,600	\$161,398	\$161,398	\$113,153	-

COMPARISON OF OPERATING IMPACTS: Revenue Assumptions
 (modify *Fiscal Analysis* technical report Table 13, page 22, as follows):

Table 13. Assumed Tax Rates

Property Tax (\$/\$1000 AV)	
State	\$2.018444
Kittitas County – Current Expense	0.892025
Kittitas County Road District	
City of Cle Elum	1.297042
Kittitas County Fire District 7	
School District 404 – Levy	<u>0.624122</u>
School District 404 – Bond	<u>0.254811</u>
Hospital District 2	0.325838
Total	\$5.412282
Gross Receipts Tax	
Retail Sales Tax	
State	6.5%
Kittitas County	
Share of City/Unincorporated	0.15%
Criminal Justice	0.50%
City of Cle Elum/Unincorporated	0.85%
Juvenile Corrections	
Total	8.00%
Utilities Tax	6.00%
Hotel Tax	
Real Estate Excise Tax	
State	1.28%
City or County	0.50%
Total	1.78%

COMPARISON OF CAPITAL IMPACTS AND POSSIBLE FUNDING SOURCES:
Cle Elum-Roslyn School District (modify *Fiscal Analysis* technical report page 37 as follows):

The Development Agreement to be negotiated between the City of Cle Elum, ~~and~~ the project proponent, and the School District will provide for funding options satisfactory to the School District to provide a means to finance the facilities needed to accommodate the growth in student population attributable to development of City Heights.