



DOUGLAS COUNTY

TRANSPORTATION & LAND SERVICES

140 19TH STREET NW, SUITE A • EAST WENATCHEE, WA 98802

PHONE: 509/884-7173 • FAX: 509/886-3954

www.douglascountywa.net

STAFF REPORT KHERA FUEL ISLAND CUP-2022-01

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Khera Properties, CUP-2022-01
DATE: May 18, 2023

I. GENERAL INFORMATION

Requested Action: An application for a Conditional Use Permit for the installation of an above-ground 20,000-gallon fuel storage tank with eight (8) fuel stations. The proposed fueling facility will be operated by Khera Properties, LLC at the property mentioned below. Douglas County Permit #CUP-2022-01.

Location: The property is located at 1 Edgewater Drive, Orondo, Washington. The subject property is also located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E. The Assessor's tax parcel number is 26211230020.

II. SITE INFORMATION

Site Characteristics: The subject property includes one existing convenience store.

Access: The subject property will be accessed via Edgewater Drive.

Zoning: The subject property is located within the Rural Service Center (RSC) zoning district, which allows fueling facilities and convenience stores through a conditional use permit (CUP).

III. COMPREHENSIVE PLAN – REGULATIONS/ POLICIES:

The Douglas County Comprehensive Plan designates this property as *Rural Service Center* and is zoned Rural Service Center (RSC) under Douglas County Code. The following goals and policies set forth in the comprehensive plan are relevant to this development:

GENERAL LAND USE:

POLICY G-9: Rural developments should only occur where adequate access to transportation systems, rural levels of utilities and facilities are available. Appropriate facilities/services may include domestic water, sewage disposal, fire and police protection, schools, and power, etc. depending on the scale and impact of the development.

POLICY G-11: Establish siting and design criteria to provide buffering or other mechanisms that will protect adjacent land uses from potential conflicts between incompatible uses.

POLICY G-15: Encourage the operation of rural commercial businesses, natural resource related industries, recreation and tourism activities, cottage industries, small scale business, and home occupations that are consistent with existing and planned land use patterns and are of an appropriate size and scale to maintain rural character.

RURAL LANDS:

POLICY R-3: Establish land use designations that represent rural character and that protect the integrity of rural areas.

POLICY R-6: Encourage development in rural areas to be served by rural levels of service.

RURAL DEVELOPMENT:

GOAL: Provide opportunities for continued smaller scale developments outside UGAs that will be compatible with and continue to preserve, maintain and enhance the vital agricultural uses in the County.

POLICY RD-4: Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or an acceptable operation capacity.

POLICY RD-5: The costs associated with implementing a rural development and providing the necessary utilities, facilities and/or services will be borne by the developer.

RURAL SERVICE CENTER

POLICY RSC-1: Encourage mixed land use patterns that currently exist within the rural service centers by clearly establishing what kinds of uses will be permitted and which will be prohibited.

POLICY RSC-3: Small retail and/or service oriented commercial uses, tourist, agriculturally related commercial uses, recreation, cottage industry, and resource industries will be encouraged within the rural service centers to serve the surrounding residents and the traveling public.

ECONOMIC DEVELOPMENT

POLICY ED-7: Develop and implement land use regulations that are flexible enough to recognize the changing nature of business and industry.

Applicable provisions of DCC 18.80.030 "Evaluation Criteria"

- A. The proposed use will be harmonious and in accordance with the general and specific objectives of the comprehensive plan and all subarea plans.
- B. The proposed use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity of the area.
- C. The traffic generated by the proposed use shall be mitigated so as not to burden the traffic circulation system in the vicinity.
- D. The proposed use will be served adequately by facilities and services such as highways, roads, law enforcement, fire protection, drainage, refuse disposal, domestic water and sanitary sewers, and schools; or that persons or agencies responsible for the establishment of the proposed use will provide adequate services.
- E. The proposed use will not create excessive additional requirements at public cost for public facilities and services.
- F. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or general welfare by reasons of excessive production of traffic, noise, smoke, fumes, vibration, glare, or odors.
- G. Proposed ingress and egress, driveway widths, parking, and road improvements shall be approved pursuant to DCC Title 20 and to the satisfaction of the county engineer.

- H. Adequate buffering devices such as fencing, landscaping, or topographic characteristics shall be in place in order to mitigate and protect adjacent properties from potential adverse impacts of the proposed use, including visual or auditory effects.
- I. Conditional use permits shall comply with the DCC and all applicable local, state, or federal regulations.
- J. The hearing examiner is the review authority and may approve, conditionally approve or deny a request for changing the minimum lot size of a conditional use. Any waiver of minimum lot size shall not be construed as an exemption from the requirements of DCC Title 17 and RCW Chapter 58.17.

IV. ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Non-Significance on June 10, 2022, in accordance with WAC 197-11-355 (Optional DNS).

V. AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. These agencies have identified mitigation or project design requirements for the project (Attachment A) that have been included as conditions of approval where appropriate.

Agency Notified	Response Received	Agency Notified	Response Received
WSDOT	N/R	Douglas County Transportation	05/2/2023
Douglas County Fire Marshal	06/30/2022	Douglas County PUD	6/16/2022
Douglas County Planning	05/10/2023	WA State Dept. of Ecology	06/27/2022
Douglas County GIS	06/28/2022		

* N/R = No Reply

Public comments were received and included as an attachment. The comments raised concerns related to SEPA, fuel leaks or spills, fire flow and traffic.

Agency comments have been included as an attachment.

VI. PROJECT ANALYSIS

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff’s analysis and consistency review for the subject application.

Comprehensive Plan consistency:

The project is located within designated *Rural Service Center* designation and is consistent with Section 4.2 “Rural Service Centers”, section 4.3 “Rural Development”, of the Douglas County Comprehensive Plan.

Consistency with DCC Chapter 18.80.030 “Conditional Uses – Evaluation Criteria”

RSC zoning authorizes this land use as a Conditional Use. The required operational conditions will sufficiently mitigate associated impact. The project will not create excessive demands on

public services. Noise impacts, dust control, and adequate buffering must fall within the parameters of Douglas County Code, as well as State standards.

As conditioned, the proposal appears consistent with the requirements of this section.

Consistency with DCC 18.32 RSC:

The Rural Service Center (RSC) zoning district allows this use via a Conditional Use Permit (CUP).

As conditioned, the proposal appears consistent with the requirements of the zoning district.

Douglas County Transportation Department has evaluated the proposal and recommended approval of the project with applicable conditions.

Douglas County Land Services: The application materials demonstrate compliance with adopted codes, standards, and specifications applicable to this project. As conditioned, the proposal is consistent with the provisions of Douglas County Code.

VII. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 18, 19 and 20 of the Douglas County Code, and the Douglas County Countywide Comprehensive Plan. Staff recommends approval of CUP-2022-01, subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. The applicant is Khera Properties, LLC, P.O. Box 78, Orondo, WA 98843.
2. General Description: An application for a Conditional Use Permit for the installation of an above-ground 20,000-gallon fuel storage tank with eight (8) fuel stations.
3. Location: The property is located at 1 Edgewater Drive, Orondo, Washington. The subject property is also described as being located within Section 12, Township 26N, Range 21E. Douglas County Assessor's Parcel Number: 26211230020.
4. The Comprehensive Plan Designation for the subject property is Rural Service Center.
5. The subject property is a part of the Rural Service Center (RSC) zoning district.
6. Douglas County Code Section 18.80.030 establishes minimum criteria for Conditional Use Permits.
7. A Determination of Non-Significance was issued by Douglas County on June 10, 2022.
8. Initial application materials reviewed by Douglas County Transportation and Land Services include:
 - a. Preliminary Civil Plans prepared by McCanna Engineering, dated February 15, 2023.
 - b. Preliminary Storm Report prepared by McCanna Engineering, dated February 2023.
 - c. Traffic Impact Analysis prepared by TENW, dated March 24, 2023.
 - d. Narrative prepared by the applicant, received May 6, 2022.
 - e. SEPA Checklist prepared by McCanna Engineering, dated April 20, 2022.
 - f. Response to Agency and Public Comment letters prepared by McCanna Engineering, dated February 27, 2023
9. The preliminary civil plans and drainage report include a stormwater infiltration facility located in the northwest corner of the site. Access to the facility as proposed would require an access easement across the adjacent private property on parcel

66200000100. Alternate access directly from Edgewater drive further to the south appears feasible.

10. The preliminary drainage report indicates the use of a design infiltration rate of 0.5 inches per hour and the 100-year event rainfall depth of 3 inches. The preliminary design incorporates the use of retaining walls to allow the facility to fit within the property. It is recommended that field infiltration testing be completed as the infiltration rates in this area are typically well in excess of 0.5 inches per hour. This would likely result in a smaller facility and a more cost effective design.
11. The 100-year 24-Hour storm depth has been determined to be 3.25 inches for this location as identified by NOAA (found at the following web site: https://www.weather.gov/owp/hdsc_noaa_atlas2). The preliminary stormwater report uses 3.0 inches.
12. The proposed vehicular access to the site from Edgewater Drive appears feasible.
13. The Traffic Impact Analysis (TIA) dated March 24, 2023, appears acceptable and takes into account the cumulative impacts from the adjacent proposed developments. The conclusion in the TIA is that no traffic mitigation is necessary as the existing access point to Edgewater Drive, the intersection of Edgewater Drive and Sun Cove Road, the intersection of Sun Cove Road and US 2 all operate at an acceptable level of service with this project at the time of build out and at a horizon year of 2030.
14. Surrounding property owners were given the opportunity to comment on the proposal, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
15. Public comments were received on the proposal. The comments raised concerns related to SEPA, fuel leaks or spills, fire flow and traffic.
16. Comments from reviewing agencies have been considered and addressed where appropriate.
17. Proper legal requirements were met and surrounding property owners, affected agencies, and interested parties were given the opportunity to comment on the proposal at a public hearing.
18. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Douglas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interests will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Title 18 "Zoning", Title 19 "Environment", and Title 20 "Development Standards" of the Douglas County Code.

Suggested Conditions of Approval

1. The project shall proceed in substantial conformance with the plans and application materials of file except as amended by the conditions herein.
2. The applicant, and site operators, are responsible for compliance with all applicable local, state and federal rules and regulations and shall acquire all applicable permits including but not limited to:
 - a. Commercial Building Permit(s) for all structures being built.
3. An Address Request Application shall be submitted with the building permit application.
4. Prior to building permit issuance, the applicant shall acquire approval from the Chelan Douglas Health District. The final design shall meet all applicable CDHD standards.

5. At time of building permit submittal, the applicant shall provide details of the fuel station canopy and its relationship to the existing high voltage transmission lines (115,000 Volts) running across the property. The size and dimensions of all above ground tanks (notes 20 & 21 on page C4 (See NFPA58)) will also need to be known to ensure proper clearances. Contact Michael Gasbar for more information 509-881-2313.
6. Minimum Required Fire Flow is 1500 GPM at a minimum of 20 PSI for no less than a 2-Hour duration. A hydrant must be located no more than 250 feet from the nearest frontage access to each lot. Maximum hydrant spacing is 500 feet and as approved or required by the Fire Marshal. The large-diameter port of all hydrants must be equipped with a 4-inch diameter Storz quarter-turn fitting with the approval of the AHJ and / or Fire Marshal.
7. Due to the lack of a public water system in this area. NFPA 1142 may be utilized to calculate Fire Flow and Fire Flow storage.
8. In the event that fire flow is not able to be met, an overhead fuel island canopy extinguishment system in accordance with IFC 904 shall be required. The extinguishment system will be equipped with both a heat detection system and manual pull station for activation.
9. Fuel Island shall be in accordance with IFC Chapters 22, 50, & 57.
10. Due to the volume of oil stored onsite, a Spill Prevention, Control, and Countermeasure (SPCC) Plan is required under 40 C.F.R. Part 112.7. Please refer to those regulations for any requirements that need to be met in order to have above-ground storage tanks.
11. The applicant shall install protective bollards between the fueling station and the propane/oil tanks to prevent vehicle collisions. At time of building permit submittal, the applicant shall display bollards on plans.
12. At the time of building permit submittal, the applicant shall provide plans detailing the two above ground tanks (diesel and gasoline). As applicable, the applicant shall provide plans detailing secondary containment berms or areas being built in addition to the proposed double walled tank. The plans shall also detail if the tanks will sit on flat concrete.
13. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to Douglas County at the time of building permit submittal. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
14. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the current edition of the *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted Douglas County at the time of building permit submittal.
15. Prior to any on-site grading occurring or prior to building permit issuance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
16. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall be provided as applicable.
17. Prior to occupancy, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant.
18. Individual/common plan development for this proposal may exceed 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology

(WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning groundbreaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.

19. At time of building permit submittal, the applicant shall provide an external illumination plan. All lighting shall be directed downward as to not cause any light pollution to neighboring properties.
20. At time of building permit submittal, the applicant shall submit a final landscaping plan. Proposed landscaping shall be compliant with the standards of the Rural Service Center district.

Respectfully Submitted,



Tiffany Prazer
Associate Planner – Douglas County Land Services

Attachments:

Agency/Public Comments

Note Detail



Type: Permit Workflow Step

Id: COMMENTS-GIS

Note Type:* APPROVAL COMMENTS

Note Code:

Text:* An Address Request Application needs to be submitted with the building permit per GIS & Addressing comments from Pre-App-2021-052.

Begin Date:* 06/28/2022

End Date:

Link: <http://www.douglascountywa.net/docs/default-source/tls/gis/address-request-form.pdf?sfvrsn=14>

Goto

Publish on Portal - Private: Public:

Attachments

Select Files

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DOUGLAS COUNTY TRANSPORTATION & LAND SERVICES



MEMO

DATE: May 2, 2023
TO: Tiffany Prazer
FROM: Mike Neer, PE
RE: CUP-2022-01 – Khera Fuel - Preliminary Approval
Transportation & Stormwater Comments

Suggested Findings of Fact:

1. Application materials reviewed by Douglas County Transportation and Stormwater include:
 - Preliminary Civil Plans prepared by McCanna Engineering, dated February 15, 2023.
 - Preliminary Storm Report prepared by McCanna Engineering, dated February 2023.
 - Traffic Impact Analysis by TENW, dated March 24, 2023.
2. The preliminary civil plans and drainage report include a stormwater infiltration facility located in the northwest corner of the site. Access to the facility as proposed would require an access easement across the adjacent private property on parcel 66200000100. Alternate access directly from Edgewater drive further to the south appears feasible.
3. The preliminary drainage report indicates the use of a design infiltration rate of 0.5 inches per hour and the 100-year event rainfall depth of 3 inches. The preliminary design incorporates the use of retaining walls to allow the facility to fit within the property. It is recommended that field infiltration testing be completed as the infiltration rates in this area are typically well in excess of 0.5 inches per hour. This would likely result in a smaller facility and a more cost effective design.
4. The 100-year 24-Hour storm depth has been determined to be 3.25 inches for this location as identified by NOAA (found at the following web site: https://www.weather.gov/owp/hdsc_noaa_atlas2). The preliminary stormwater report uses 3.0 inches.
5. The proposed vehicular access to the site from Edgewater Drive appears feasible.
6. The Traffic Impact Analysis (TIA), dated March 24, 2023 appears acceptable and takes into account the cumulative impacts from the adjacent proposed developments. The conclusion in the TIA is that no traffic mitigation is necessary as the existing access point to Edgewater Drive, the intersection of Edgewater Drive and Sun Cove Road, the intersection of Sun Cove Road and US 2 all operate at an acceptable level of service with this project at the time of build out and at a horizon year of 2030.

With incorporation of the conditions below, preliminary approval is recommended.

Suggested Conditions of Approval:

Transportation / Stormwater

1. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to Douglas County at the time of building permit submittal. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.

2. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the current edition of the *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted Douglas County at the time of building permit submittal.
3. Prior to any on-site grading occurring or prior to building permit issuance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
4. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans. UIC registration shall be provided as applicable.
5. Prior to occupancy, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant.
6. Individual/common plan development for this proposal may exceed 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.

RECEIVED

By Douglas County TLS at 5:23 am, Jun 27, 2022



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

June 24, 2022

Annette Jester
Douglas County Transportation and Land Services
140 19th Street N.W.
East Wenatchee, WA 98802

Re: 202202974, CUP-2022-01

Dear Annette Jester:

Thank you for the opportunity to comment on the Determination of Non Significance for the Cider Works fuel island, proposed by Khera Properties LLC. We have reviewed the documents and have the following comments.

SPILLS

Due to the volume of oil stored onsite, a Spill Prevention, Control, and Countermeasure (SPCC) Plan is required under 40 C.F.R. Part 112.7. Please refer to those regulations for any requirements that need to be met in order to have aboveground storage tanks.

Ecology recommends including additional clarification and answers to the questions below:

- The SEPA Checklist mentions gasoline and diesel will be kept onsite in aboveground storage tanks. In the attached drawings, only a single 20,000 gallon storage tank is shown. Are there more tanks planned? If so, Ecology recommends providing drawings for those as well.
- For the proposed 20,000 gallon storage tank, drawing sheet No. "C4" mentions that the tank will be double walled. Are any secondary containment berms or areas being built in addition to the double wall? Or will this tank sit on flat concrete?

Annette Jester

June 24, 2022

Page 2

- "C4" also does not show any bollards between the fueling station and the propane/oil storage tanks. Are bollards or some other device planned for installation to prevent vehicle collision with the propane and 20,000 gallon oil storage tank?

Please contact **Brittany Flittner**, Project Specialist for the Spills Program, at (360) 584-4490 for questions.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov

Note Detail

Type: Permit Workflow Step

Id: COMMENTS-DC PUD

Note Type: APPLICATION COMMENTS

Note Code:

Text: The applicant will need to provide details of the fuel station canopy and it's relationship to the existing high voltage transmission lines (115,000 Volts) running across the property. The size and dimensions of all above ground tanks (notes20 &21 on page C4 (See NFPA58)) will also need to be known to ensure proper clearances. Contact Michael Gasbar for more information 509-881-2313.

Begin Date: 06/16/2022

End Date:

Link:

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Attachments

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Display Order	Parcel Number	Name	Condition	Ver	Req'd	Passed	Verified	Failed	Follow-Up Days	Fc
1		Custom	Minimum Required Fire Flow is 1500 GPM at a minimum of 20 PSI for no less than a 2-Hour duration. A hydrant must be located no more than 250 feet from the nearest frontage access to each lot. Maximum hydrant spacing is 500 feet and as approved or required by the Fire Marshal. The large-diameter port of all hydrants must be equipped with a 4-inch diameter Storz quarter-turn fitting with the approval of the AHJ and / or Fire Marshal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2		Custom	Due to the lack of a public water system in this area. NFPA 1142 may be utilized to calculate Fire Flow and Fire Flow storage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3		Custom	extinguishment system will be equipped with both a heat detection system and manual pull station for activation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4		Custom	Fuel Island will be in accordance to IFC Chapters 22, 50, & 57.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Add

June 24, 2022

Ms. Shari Tincher

Via email: stincher@co.douglas.wa.us

Subject: CUP-2022-01 Comment

Dear Ms. Tincher:

Thank you for the opportunity to comment on the gasoline station conditional use permit application, CUP-2022-1. We appreciate the availability of fuel in this part of the county, but we have several concerns about the project and SEPA checklist we believe worthy of consideration as the process continues.

Topic	Comment	SEPA Checklist item
Fuel spills and leaks	<p>As the owner of the downhill property, I am particularly concerned about surface and subsurface fuel spills and leaks. Any spill or leak will find its way on to my property, likely damaging my ability to grow wine grapes and diminishing my property's value. It will be important the applicant post a bond or secure another instrument to indemnify me in case of any spill or leak in perpetuity. In addition, application materials provide no detail on the type of secondary containment proposed, the proposed protocols in place to prevent spills and leaks, or the hazardous substance control plan in the case of a spill or leak. The Department of Ecology will likely require additional information, and the checklist should identify what will be prepared directly related to this proposal.</p> <p>The SEPA checklist describes a shut-off valve located between the oil/water separator and swale, but it is not shown on the site improvement plan. It will be helpful to understand how the valve will be operated, under what conditions it would be used, and how spilled material will be retrieved from the drain pipe.</p> <p>The only items identified to mitigate potential impacts to surface or ground water include the oil-water separator's spill containment capacity and the emergency shut-off valve. The checklist does not mention or detail Ecology requirements for spill prevention or containment, nor does it discuss the reduction in size of the existing drainage swale and the increase in impervious surface area.</p>	<p>A.8 A.10 B.3.c(2) B.3.d</p>
Air quality	<p>The SEPA checklist identifies vapor recovery systems, but the context is for underground storage tanks. The project description indicates there will be only one tank and that it will be above ground. The inconsistency should be reconciled, and the checklist</p>	<p>B.2.a B.2.c</p>

	should confirm the type and purpose of the proposed vapor recovery approach.	
Septic	The checklist does not discuss the septic system serving this project, nor is there a drain field shown on the site plan included in the application material.	B.3.b(2)
Stormwater	The SEPA checklist states the proposal will not alter drainage patterns in the vicinity of the site. The new driveway, however, is larger than the existing and is located further north and west, traversing and draining onto property I own. The site improvement plan indicates a swale and drywell to be constructed on my property, but I have not been consulted as part of the process.	B.3.b(3)
Environmental health	The SEPA response indicates storage “tanks,” suggesting there will be more than one. The application project description, however, indicates there will be only one.	B.7.a B.7.a(3)
Aesthetics	<p>The site improvement plan mentions a canopy in the notes, and the checklist identifies one in the Aesthetics section. The canopy does not appear in the site improvement plan, and there are no architectural elevations illustrating the canopy’s design or design treatment.</p> <p>Neither the checklist responses nor the application materials provide information on the project’s proposed landscaping, though the checklist indicates “additional landscaping will be added to the existing landscaping.” Landscaping will be essential to ensuring compatibility, both in terms of the location and type of plant material and in the type and treatment of the proposed retaining walls.</p>	B.10.a B.10.1
Light and glare	The proposal indicates the canopy will be illuminated at night, but it provides no detail on the type, intensity, or location of the proposed light fixtures. It states the light will be directed downward to not affect adjacent properties. This property is located at the top of the slope, and our property will have a direct view of the canopy’s underside. If illuminated too brightly and not adequately screened, the glare will impact my vineyard and resort operation. The mitigation suggested in the checklist is not adequate to ensure compatibility, and there is no information provided to ensure an informed review of what is proposed.	B.11.a B.11.d
Public transportation	The SEPA checklist responds “Unknow” (sic) to the prompt on public transportation. LINK serves this site, with a bus stop located immediately adjacent to the existing drainage swale. The checklist should describe how this proposal will impact bus service here and indicate if changes in service are proposed.	B.14.b

Traffic	<p>The fuel facility will generate additional trips using the Sun Cove intersection with US Highway 97. We are concerned these new trips may cause an alteration of the intersection beyond what our traffic impact analysis and conversations anticipate. If a new intersection design is warranted, we hope to be able to be involved in the process and to ensure we are not responsible for additional financial contribution toward the proposed solution. We have invested substantial thought and design in the resort's arrival experience, and the intersection with Sun Cove Rd is a critical element in orienting and welcoming resort visitors.</p> <p>The checklist identifies no actions to mitigate traffic impacts. The response should be modified to more fully incorporate the findings and recommendations of the traffic study and the degree to which the proposed design requires the use of property not now under the applicant's control.</p>	B.14.f B.14.h
Proximity to roundabout	<p>Our design team has been working with the County to design a roundabout to manage vehicular traffic as it accesses the resort, Edgewater plats, and neighboring orchards. The fuel station's relocated and expanded driveway impacts the dynamics of the roundabout, causing us to embark on another design revision. The CUP applicant appears unaware of the roundabout and how the proposed driveways may shift the dynamics, particularly considering truck and vehicle turning movements from the proposed northeastern access point.</p> <p>The location of the proposed driveway may also impact the movement of agricultural products, and any new driveway location must take this into account.</p>	B.14.a B.14.g
Driveway access	<p>The proposed northeastern driveway appears to be relocated further north and east of the existing access point. This aligns the drive across property my property. The applicant has not discussed this with me or asked for permission to route the driveway across my property. The applicant's driveway and all associated improvements should be realigned to be fully accommodated on the applicant's property.</p>	B.14.a
Utilities	<p>Fire flow is challenging in this rural setting, and we are concerned the project may not be able to attain or sustain adequate flow in case of a fire event on the property. To our knowledge, the applicant has not coordinated with the water district to assure flow is available for this particular use.</p>	B.16.m

Thank you again for providing us an opportunity to comment on this proposal. We wish to be included as a party of record on this project and reserve the right to append our comments as more information becomes available and as the process proceeds.

Please feel free to contact me if you have any questions or concerns, and to alert me to any additional information provided in conjunction with this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Dufenhorst". The signature is stylized with a large initial "D" and a long horizontal stroke.

David Dufenhorst