Exhibit 9

Community Development Department
Director: Lauren Prentice
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Submit to: planning@co.walla-walla.wa.us
https://www.co.walla-walla.wa.us/residents/community_development/index.php

FINAL DETERMINATION OF NON-SIGNIFICANCE (DNS)

File(s):	**SEPA22-018, CUP22-010, CAP22-014**
Description of Proposal:	Depping Road/Dish Network Wireless Communication Facility. The applicant has proposed to construct a wireless communication facility (cell phone tower) of approximately 100-feet in height. The site is zoned Exclusive Agriculture-120 (EA-120). A Conditional Use Permit application is required because there is an existing wireless communication facility within one mile.
Proponent:	RYKA CONSULTING, C/O Jeff Smith 5628 AIRPORT WAY S, STE 330 SEATTLE WA, 98108
Owner:	DEPPING DUANE C 450 TUTTLE LN BURBANK WA, 99323
Location of Proposal:	The site is located on vacant, unaddressed property east of Depping Road and south of Russell Creek Road (APN 360727440004).

The lead agency for this proposal has determined that it does 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). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The Determination of Non-Significance (DNS) is based on the project as proposed and reflected in the following:

- SEPA Checklist (SEPA22-018), dated 6/30/2022
- Conditional Use Permit Application (CUP22-010), dated 6/30/2022
- Conditional Use Permit Application Exhibit A, submitted 7/1/2022
- Critical Areas Permit Application (CAP22-014), dated 6/30/2022
- Site Plan, dated 6/7/2022
- Statutory Warranty Deed, Auditor's File Number 2015-01983
- Stormwater memo prepared by Harold M. Duncanson, P.E., Duncanson Company, Inc., dated 6/3/2022
- Notice of Incomplete Application, dated 7/26/2022 and Applicant Response, dated 8/2/2022

This DNS is issued after using the optional DNS process in WAC 197-11-355. **There is no further comment period on this DNS.**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); if there is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or if the DNS was procured by misrepresentation or lack of material disclosure.

Lead Agency: Walla Walla County

Responsible official: Lauren Prentice, Community Development Director

Address: 310 W Poplar Street, Suite 200
Walla Walla, WA 99362
Phone: 509-524-2610
Email: planning@co.walla-walla.wa.us

Issue Date: 8/31/2022

Signature: _____ **Date:** 8/31/2022

Staff Contact: Don Sims, Associate Planner, 509-524-2618

You may appeal this determination, in writing, to the CDD no later than fourteen days from the date of issue. You should be prepared to make specific factual objections. Contact the CDD to read or ask about the procedures for SEPA appeals and obtain details regarding submittals for appeals (including application forms and fees). Walla Walla County Code (WWCC) Chapter 14.11 outlines the County's appeal procedure.

File No. SEPA22-018
CUP22-010
CAP22-014

STATE ENVIRONMENTAL POLICY ACT (SEPA)

Final Staff Evaluation Report for Environmental Checklist

This document is intended to supplement information in the applicant's submitted environmental checklist and also document some staff evaluation of the proposal. It is meant to serve as a supplement to the primary documents required by SEPA.

Date:	8/24/2022
Project Name:	Depping/Dish Network 100-foot Wireless Communication Facility
Proponent:	RYKA CONSULTING C/O Jeff Smith 5628 AIRPORT WAY S, SUITE 330 SEATTLE WA, 98108
Owner:	DEPPING DUANE C 450 TUTTLE LN BURBANK WA, 99323
Description of Proposal:	The proposal is to erect a new 100-foot monopole and related equipment inside a 25-foot by 25-foot fenced leased compound. The site is within one mile of an existing cell tower, which was constructed in 2005; WWCC 17.16.014 – Development Condition 4 requires a Conditional Use Permit Application when a new tower is within one mile of existing towers in an resource zone.
Location of Proposal:	This site is located generally on farmland on the south side of Russell Creek Road between Berney Dr and Depping Rd (APN 360727440004).
Zoning:	Exclusive Agriculture – 120
Comprehensive Plan Map Designation:	Exclusive Agriculture
Shoreline Master Program Designation:	N/A
Conclusions:	Based on the analysis herein, the proposal can be found to not have a probable significant adverse impact on the environment. The County reserves the right to review any future revisions or alterations to the site or to the proposal in order to determine the environmental significance or non-significance of the project at that point in time.

Prepared by: Don Sims, Associate Planner, 509-524-2618

Reviewed project and environmental documents:

- Environmental Checklist (SEPA22-010), dated 6/30/2022
- Conditional Use Permit Application (CUP22-010), dated 6/30/2022
- Exhibit "A" – Conditional Use Permit Approval Criteria, submitted 7/1/2022
- Critical Areas Permit Application (CAP22-014), dated 6/30/2022
- Site Plan, dated 6/7/2022
- Statutory Warranty Deed, Auditor's File Number 2015-01983
- Stormwater memo prepared by Harold M. Duncanson, P.E., Duncanson Company, Inc., dated 6/3/2022
- Notice of Incomplete Application, dated 7/26/2022 and Applicant Response, dated 8/2/2022

Agency Distribution:

The optional DNS process was used. A Notice of Application ODNS was issued on March 10, 2022. Application materials were distributed to the following agencies for review:

- Walla Walla County Public Health Department, Environmental Health Division
- Walla Walla County Public Works Department
- Walla Walla County Fire Marshal/Building Official
- Confederated Tribes of the Umatilla Indian Reservation
- State of Washington Department of Archaeology and Historic Preservation
- State of Washington Department of Natural Resources
- State of Washington Department of Ecology
- Walla Walla County Sheriff
- Walla Walla County Conservation District
- State of Washington Department of Fish and Wildlife
- Walla Walla Valley Metropolitan Planning Organization

Agency/Public Comments:

- Comment in support of the application from Duane Depping, the property owner, dated 8/11/2022

A. Background

The proposal is to construct a wireless communication facility (cell phone tower) on property south of Russell Creek Road between Berney Road and Depping Road.

Due to an existing wireless communication facility within 1 mile, the proposal requires a conditional use permit (CUP) which is currently under review.

B. Environmental Elements

1. **Earth**
   Generally concur with checklist.

2. **Air**
   Generally concur with checklist.

3. **Water**
   Generally concur with checklist.

4. **Plants**
   Generally concur with checklist.

5. **Animals**
   Generally concur with checklist.

6. **Energy and natural resources**
   Generally concur with checklist.

7. **Environmental Health**
   Generally concur with checklist.

8. **Land and Shoreline Use**

   This site is within two mapped critical areas:

   - **Critical Aquifer Recharge Area (CARA) - Walla Walla River Shallow Gravel Aquifer area of Moderate Recharge Vulnerability –** concerns related to the CARA will be mitigated by a recommended condition of approval on the Conditional Use Permit application that all stormwater be retained on site. Secondarily, the proponent has not proposed a septic tank system, meaning no other effluent will be discharged into the aquifer. No critical areas report will be required to assess impacts within the aquifer.
   - **Geologically Hazardous Areas – Erosion Hazard Areas with slopes greater than 15% -** sheet 2 of the submitted site plan contains topographic lines of the proposed lease area showing a gradual slope to the west of under 10%. No critical areas report will be required.

9. **Housing**
   Generally concur with checklist.

10. **Aesthetics**
    Construction will comply with design standards for wireless communication facilities set forth in WWCC Section 17.34.040 – Design Standards.

11. **Light and Glare**
    Generally concur with checklist.

12. **Recreation**
    Generally concur with checklist.

13. Historic and cultural preservation

The NOA ODNS was sent to two agencies with an interest in historic and cultural preservation, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the Washington State Department of Archaeology and Historic Preservation (DAHP). Neither agency responded with comments.

The submitted SEPA checklist stated that the proponent is not aware of any remains and that no consultation with tribes or other agencies had taken place. Staff notes that a National Environmental Policy Act (NEPA) review will be required by the Federal Communications Commission (FCC), which the proponent has not begun.

14. Transportation

Generally concur with checklist.

15. Public Services

The NOA ODNS was sent for comment to the County's Fire Marshal, Sheriff, and the E911 Addressing Authority. The addressing authority submitted comments requiring the site to have a new address issued at the time of building permit application.

16. Utilities

Generally concur with checklist.