



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

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April 13, 2022

Rachael Stevie  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: SEPA Register 202201448, LP-22-00002

Dear Rachael Stevie:

Thank you for the opportunity to comment during the Optional Determination of Non Significance process for the Mohar Farm Cluster Subdivision, proposed by John F. Barker. We have reviewed the documents and have the following comments.

## **WATER QUALITY**

### Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Wendy Neet** at the Dept. of Ecology, (509) 454-7277 or email [wendy.neet@ecy.wa.gov](mailto:wendy.neet@ecy.wa.gov) with questions about this permit.

## WATER RESOURCES

### Groundwater Exempt Uses

In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

### Dust Control from a Well

If you plan to use water for dust suppression at your project site, be sure that you have a legal right. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

If you have any questions or would like to respond to these Water Resources comments, please contact **Christopher Kossik** at (509) 454-7872 or email at [christopher.kossik@ecy.wa.gov](mailto:christopher.kossik@ecy.wa.gov) .

Sincerely,



Gwen Clear  
Environmental Review Coordinator  
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