



KITTTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

Mark Cook, Director

February 1, 2023

Attn: Dan Carlson
Kittitas County Community Development Services
411 N. Ruby St, Suite 2
Ellensburg, WA 98926

RE: Kittitas County Public Works Manastash Road Creek Bank Stabilization Project
Request for SEPA, Critical Areas, and Shoreline Permit Exemptions

Dear Dan:

The intent of this letter is to request exemption status for SEPA, Critical Areas Ordinances, and Shoreline Development Permits for reconstruction of the roadway embankment due to erosion from South Fork Manastash Creek. Documentation and justification for these exemptions are provided herein and in the enclosed information. A Joint Aquatic Resources Permit Application (JARPA) Form is enclosed for your reference. The JARPA provides documentation of project effects on environmental resources.

Project Description

This section of Manastash Road is restricted to a single lane due to stream bank erosion. The purpose of the project is to restore the roadway to a safe and functional two-way road. A revetment will be constructed below the roadway to stabilize the bank and provide long term protection of the roadway.

Due to the deteriorated condition of the road shoulder, width-restriction closure, and active bank erosion, the immediate repair of the bank and roadway is necessary for continued access and use of Manastash Road. Manastash Road is the only access for several isolated rural residences and a priority arterial for access to US Forest Service property. The repairs will provide safe and continued access for residents. In addition, the project will stop active bank erosion, and provide channel roughness and enhanced habitat benefits due to the added complexity.

SEPA

Washington Administrative Code (WAC 197-11-800) defines categorical exemptions from threshold determinations for proposed actions.

WAC 197-11-800(3) Repair, remodeling, and maintenance activities, states: *The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities or equipment, including utilizes, recreation, and*

transportation facilities involving no material expansion of changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt.

The project meets the intent of the exemption as the roadway embankment and roadway will be reconstructed to an as-built condition that existed prior to erosion occurring, with no changes in use to the previously existing condition. In addition, a minor amount of habitat enhancement and energy dissipation elements have been incorporated into the design to improve aquatic and riparian habitat by providing channel roughness, incorporating large wood structure, increasing channel complexity, and restoring riparian vegetation (see enclosed plans). This habitat bio-engineering element of the project provides long-term protection of the roadway and is a beneficial enhancement to the stream by reconnecting floodplain.

Shoreline Exemption Permit

WAC 173-27-040(2)(b) and Kittitas County Code (KCC 17B.07.030(2)(b) define actions which are exempt from substantial development permits under the Shoreline Management Act.

These codes state: *The following developments shall not require substantial development permits:*

Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.

The project meets the intent of the exemption as the roadway embankment and roadway will be reconstructed to an as-built condition that existed prior to erosion occurring, with no changes in use to the previously existing condition. In addition, a minor amount of habitat enhancement and energy dissipation elements have been incorporated into the design to improve aquatic and riparian habitat by providing channel roughness, incorporating large wood structure, increasing channel complexity, and restoring riparian vegetation (see enclosed plans). This habitat bio-engineering element of the project provides long-term protection of the roadway and is a beneficial enhancement to the stream by reconnecting floodplain.

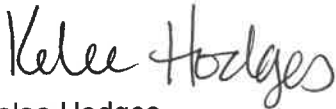
Critical Areas Ordinance

Revised Code of Washington (RCW) 36.70A.170 and 36.70A.060, and KCC Chapter 17A define the management of Critical Areas. KCC 17A.01.050(3)(b) states activities are exempt when: *Operation, Maintenance, or Repair. Operation, maintenance, or repair of existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees, or drainage*

systems, that do not require construction permits, if the alteration or development does not further change or increase the impact to, or encroach further within, the critical area or buffer and there is no increased risk to life or property as a result of the proposed operation, maintenance, or repair. Operation and maintenance includes vegetation management performed in accordance with best management practices that is part of ongoing maintenance of structures, infrastructure, or utilities, provided that such management actions are part of ongoing maintenance, do not expand further into the critical area or buffer, are not the result of an expansion of the structure or utility, and do not directly impact an endangered or threatened species.

The project meets the intent of the exemption as the roadway embankment and roadway will be reconstructed to an as-built condition that existed prior to erosion occurring, with no changes in use to the previously existing condition. In addition, a minor amount of habitat enhancement and energy dissipation elements have been incorporated into the design to improve aquatic and riparian habitat by providing channel roughness, incorporating large wood structure, increasing channel complexity, and restoring riparian vegetation (see enclosed plans). This habitat bio-engineering element of the project provides long-term protection of the roadway and is a beneficial enhancement to the stream by reconnecting floodplain. This project does not impact wetlands.

Sincerely,



Kelee Hodges
Environmental/Transportation Planner
Kittitas County Public Works

Enclosed: JARPA Form
 Project Plans and Photographs

