



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

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"Building Partnerships – Building Communities"

August 30, 2012

Steve Joyce  
PO Box 786  
Ellensburg, WA 98926

Canyon River Ranch  
1218 Third Ave. Suite 2300  
Seattle, WA 98101

Subject: Canyon River Ranch Conditional Use Permit (CU-12-02)

Dear Mr. Joyce,

The comment period on the Notice of Application for the Canyon River Ranch Conditional Use Permit (CU-12-02) ended on August 17, 2012. The Yakama Nation is requesting cultural resources survey and subsurface testing of the project site prior to the County issuing its SEPA environmental threshold determination and scheduling the public hearing before the Board of Adjustment. Please refer to the Yakama Nation July 31, 2012 comment letter for the specific information being requested.

In addition, the Department of Ecology believes that a portion of the project fall within the shoreline jurisdiction of the Yakima River and would require a Shoreline Substantial Development/Conditional Use permit. The location of the Ordinary High Water Mark, floodway and wetlands are crucial elements for determining whether a shoreline permit would be needed for this project. The project is located with the Natural Shoreline Environment where the shoreline jurisdiction is 200 feet landward from the boundary of the floodway. Refer to the Department of Ecology August 17, 2012 comment letter for the specific information being requested. Also attached is an e-mail comment from the Department of Fish & wildlife regarding impacts to a side-channel of the Yakima River.

When the additional information is received our review of the application will continue. If you have any questions or further clarification, please contact my office at (509) 962-7506.

Sincerely,

Dan Valoff  
Staff Planner



Confederated Tribes and Bands of the Yakama Nation  
Established by the Treaty of June 9, 1855

Post Office Box 151  
Toppenish Washington 98948



Dan Valoff  
Kittitas County  
Community Development Services  
411 N Ruby St Suite 2  
Ellensburg, WA 98926

July 31, 2012

Subject: Conditional Use Permit Notice of Application Canyon River, Kittitas County

The Yakama Nation Cultural Resource Program (CRP) has reviewed the proposal listed above. The proposed project is located within the Ceded Lands of the Yakama Nation, the legal rights to which were established by the Treaty of 1855, between the Yakama Nation and the United States Government. The treaty set forth that Yakama Nation shall retain the rights to resources upon these lands and, therefore, it is with the assistance and backing of the United States Federal Government that Yakama Nation claims authority to protect traditional resources.

The proposed project is located in Township 16 North Range 19 East, Section 28 in Kittitas County, Washington. The Conditional Use Permit (CUP) was submitted for the existing Canyon River Ranch to extend guest ranch use on lands recently acquired from the Washington Department of Fish and Wildlife. The CUP covers 23 acres currently zoned as Forest and Range. The project proposal includes construction/installation of 12 new cabin sites, garage structures, and replacement of three existing cabins and one storage building. The existing septic fields are proposed to be replaced with a new DOH approved system. Yakama Nation CRP has reviewed the SEPA checklist and associated documents and addresses the following concerns:

- Under the Historic and Cultural Preservation section, it states “*an archaeological study was completed on the adjacent/combined site and there were no findings of evidence of historic, archaeological, scientific, or cultural importance.*” A review of the Department of Archaeological and Historic database indicates a survey was conducted for a 3.0 acre parcel of land that was conveyed to the project proponent. However, this survey covered only the areas on the western extent of the “proposed uses” figure map. Furthermore, minimal subsurface testing was conducted (e.g. two probes) in the project area. No testing was conducted in areas of the greatest ground disturbance; likely because these were not known at the time of the survey and the purpose of the survey was land conveyance.
- No surveys have been conducted for “proposed uses” areas on the eastern side of the project area in which four cabins are planned and septic replacement.



- The Predictive Model on Department of Archaeology and Historic Preservation database notes the area as a “very high risk” and “high risk” areas for encountering cultural resources. While no archaeological sites have been recorded within the lands in the proposed CUP, a known ancestral Yakama village was located approximately 1 mile northwest of the area. The witness of this village is known not only through elder testimony but is evidenced by the number of archaeological sites that been recorded. This canyon and its surrounding lands remain an important cultural property to the Yakama.
- YN CRP **does not** concur with a Determination of Non-Significance (DNS) for this proposal. A DNS should not be issued prior to cultural resources survey of proposed impacted lands. SEPA rules require that decision made during environmental review be based on sufficient information. Threshold determination must be “*based upon information reasonably sufficient to evaluate the environmental impact of a proposal (WAC 197-11-335).*” WAC 197-11-080(1) states that “*(I)nformation on significant adverse impacts essential to a reasoned choice among alternatives is not known, and the cost of obtaining it are not exorbitant, agencies shall obtain and include the information in their environmental documents;*” and “*(W)hen there are gaps in relevant information or scientific uncertainty concerning significant impacts, agencies shall make clear that such information is lacking or that substantial uncertainty exists.*”

Given the high potential for cultural resources and the sensitivity of the area to the Yakama, YN CRP requests a cultural resources survey and subsurface testing of all ground disturbing activities prior to the issuance of the CUP. This will allow the questions under the Historic and Cultural Preservation section to be answered with a degree of confidence.

Please contact me at 1-509-865-5121 ext. 4737 or CRP archaeologist Corrine Camuso at ccamuso@yakama.com or ext. 4776, if you have any questions regarding that which is written above.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnson Meninick".

Johnson Meninick, Program Manager  
Cultural Resources Program

CC: Gretchen Kaehler, Department of Archaeology and Historic Preservation



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

August 17, 2012

Dan Valoff  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: CU-12-00002

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Canyon River Ranch guest ranch. We have reviewed the documents and have the following comments.

**Shorelands/Environmental Assistance**

Property to the north is still designated as a Natural Shoreline Environment. The proposal is to build 12 new cabin sites and one storage building – the applicant says they want to extend the use into the property to the north. While this might be possible under zoning regulations, if the development will extend into shoreline areas, the shoreline designation of the parcel to the north would be “Natural” and as such, only very passive recreational activities (no roads or buildings or large tree removal, but “shelters” are allowed) would be permissible. (Kittitas County Shoreline Master Plan, Section 32 (4)). The parcel shape is different in some of the pages of the application than what is shown on our GIS system. Was there a lot line adjustment or was just a portion of the northern property purchased? The Shoreline Master Plan re-designation for this parcel would only apply to the parcel as it existed at the time of the filing. It is unclear in the submitted documents.

The location of the Ordinary High Water Mark, floodway and wetlands are crucial elements for determining whether a shoreline permit would be needed for this project. In section 3 of the SEPA checklist there is a statement that all work will be outside of the shoreline area. All development should be shown on scaled project drawings. Ecology would like to review the location of the OHWM and the location of wetlands on the ground because it appears that at least three of the proposed cabins and parking lots in the Proposed Zoning Conditional Use site plan (artists drawing) would be within shoreline jurisdiction and/or in floodway or wetland locations. In addition, according to our GIS information, as one moves north into the phase 2 area, the



Mr. Valoff  
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floodplain and wetland edge locations move significantly to the east. The National Wetland Inventory Map shows a significant emergent wetland on both sides of the side channel in the phase 2 area. There is also a historic side channel to the east of the wetland which extends to the south into phase 1 from the property to the north. (It appears from aerial photo interpretation that there has been about 2/10 acre clearing or filling in this area in preparation for construction – if this is the case, then this needs to be identified on shoreline permit documents.) Ecology recommends that a floodway analysis be done for this project before any structures are built in the area of this side channel. Another option would be moving these structures to the other side of the highway as there is a lot of area available there for placement of cabins.

If the expansion of the use would trigger the need for a shoreline permit, Section 17 2a of the Shoreline Master Plan states that “ fill for the purpose of installing a septic tank shall not be permitted,” and 17 2b. states that “there shall be a minimum setback of 100 feet from the ordinary high water mark for all on-site sewage treatment systems.” The locations of all grading and filling, septic drainfields, septic tanks, utilities, etc. should be shown on permit documents in order to determine if the structures are located within 200 feet of the OHWM or the landward boundary of the floodway, whichever is greater. (Shoreline jurisdiction in Kittitas County is described on page REG-4 in section 7 of the KCSMP). Landfills are prohibited in Natural shoreline environments. (KCSMP Section 28(2)).

If a shoreline permit is triggered by the proposal, then a specific description of existing structures and uses that exist now on the phase 2 property need to be clearly described. In addition, the location of all existing and proposed utilities within shoreline jurisdiction (water, power, stormwater, etc.) should be shown on the permit filing documents.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Catherine Reed** at (509) 575-2616.

Sincerely,



Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012

## Dan Valoff

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**From:** Teske, Mark S (DFW) [Mark.Teske@dfw.wa.gov]  
**Sent:** Monday, August 27, 2012 11:51 AM  
**To:** Dan Valoff  
**Subject:** Canyon Development

Per our earlier discussion, WDFW has the following concerns, additional issues may be forthcoming as plans are clarified.

Site plans are confusing and distances from shorelines, side-channels and other riparian features are unclear. Septic reserve sites that rely on floodplain locations are a major concern. Septic fields need to be cleared for constructions and remain free from tree establishment in perpetuity. This is a long-term impact that can't be mitigated on site.

Impacts to a side-channel of the Yakima River, channel evulsion of that Yakima River and channel change from ice events or bed load is an issue. Lost (irreplaceable) opportunity for side-channel enhancement is a significant concern. Side channel habitat is extremely limited in the canyon. Infrastructure placement in the dynamic shoreline is a concern. River fighting to protect poorly placed infrastructure is a significant long-term concern. Shoreline management post constructions is an issue. Development density is a concern since more infrastructure is needed to service this larger development footprint.



**Washington State  
Department of Transportation**  
Paula J. Hammond, P.E.  
Secretary of Transportation

**South Central Region**  
2809 Rudkin Road, Union Gap  
P.O. Box 12560  
Yakima, WA 98909-2560  
509-577-1600  
TTY: 1-800-833-6388  
www.wsdot.wa.gov



August 1, 2012

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

Attention: Dan Valoff, Staff Planner  
Subject: CU-12-00002, Canyon River Ranch  
SR 821, milepost 14.67 Left

We have reviewed the proposed project and have the following comments.

- The proposed project is adjacent to State Highway 821 (SR 821), a Class 3 managed access facility with a posted speed limit of 45 miles per hour. The property has an existing permitted access connection at milepost 14.67 and an existing grandfathered approach at milepost 14.78. It is acceptable for the proponent to continue to use the approach at milepost 14.78 during construction, provided additional crushed surfacing top course is placed along the shoulder to prevent any further deterioration of the asphalt pavement. Upon completion of the project, the grandfathered approach must be removed. The proponent is required to contact WSDOT Maintenance Supervisor Win Charlton at (509) 577-1908 to coordinate removal of the approach.
- Stormwater and surface runoff generated by this project must be retained and treated on site and not allowed to flow onto WSDOT rights-of-way.
- The proposal includes an archery range near SR 821 and appears to be within range of an arrow. Prudent safety measures should be taken to ensure arrow(s) are prevented from flying onto WSDOT rights-of-way.
- Any outdoor advertising or motorist signing for this project will need to comply with state criteria. Please contact Rick Gifford of the WSDOT South Central Region Traffic Office at (509) 577-1985 for specifics.
- Any proposed lighting should be directed down towards the site, and away from SR 821.
- All mailboxes must be located outside WSDOT rights-of-way.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Rick Holmstrom at (509) 577-1633.

Sincerely,

Paul Gonseth, P.E.  
Planning & Materials Engineer

PG: rh/jjp

cc: File #1, SR 821  
Terry Kukes, Area 1 Maintenance Superintendent