

From: [Ryan DeKnikker](#)
To: [Kelly Bacon \(CD\)](#)
Cc: [John Marvin](#)
Subject: Conditional Use Permit-Swiftwater Storage
Date: Thursday, March 11, 2021 1:24:56 PM
Attachments: [YN to Kittitas Co - Swiftwater Storage CU-20-00006.pdf](#)

Good Afternoon,

Please see attached Yakama Nation DNR comments RE: STATE ENVIRONMENTAL POLICY ACT, CONDITIONAL USE PERMIT – CU-20-00006-SWIFTWATER STORAGE.

Thank You,

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Ryan DeKnikker

Yakama Nation

Fish Habitat Biologist

509-945-5389



Confederated Tribes and Bands
of the Yakama Nation

Established by the
Treaty of June 9, 1855

March 11, 2021

Sent via Email

Kittitas County Hearing Examiner
c/o Kelly Bacon, Staff Planner
Kittitas County Community Development Services
411 N Ruby ST, Suite 2
Ellensburg WA 98926
Email: kelly.bacon.cd@co.kittitas.wa.us

RE: COMMENTS ON STATE ENVIRONMENTAL POLICY ACT,
CONDITIONAL USE PERMIT – CU-20-00006-SWIFTWATER STORAGE

Dear Kittitas County Hearing Examiner,

I write on behalf of the Yakama Nation Department of Natural Resources (“YN DNR”) to provide comments on the State Environmental Policy Act (SEPA), Conditional Use Permit – CU-20-00006-SWIFTWATER STORAGE

YN DNR appreciates the opportunity to comment as the proposed activities are within the ceded territories of the Confederated Tribes and Bands of the Yakama Nation. YN DNR has several important concerns with the issuance of the permit.

Key areas of concern include but are not limited to:

- The proximity of proposed project to a Type F, fish bearing stream
- The proximity of proposed project to wetland habitat
- Activities proposed within 100 year floodplain extents
- The increase in impermeable surfaces resulting from proposed activities

The proposal is clear in its intent to utilize the minimum wetland and stream buffers provisioned by Kittitas County. It cites previous development (gravel road and existing storage unit to the east) as precedent/justification to pursue proposed development within the 100 year floodplain. The SEPA document also states that work will not affect drainage patterns when 20% of the parcel is expected to become impervious to infiltration.

The proposal has a high likelihood of contributing to aquatic habitat degradation. Numerous examples of development within the 100-year floodplain throughout Kittitas County has shown

that infrastructure such as levees or berms are constructed subsequent to development - to protect infrastructure from flood impacts. The result of these efforts is channel confinement, channel incision, habitat reduction, and reduced climate change resiliency. The concern is that when flooding occurs, which has a 1% chance of occurring in any given year at the proposed development location – corrective actions such as those stated above will be pursued. The Yakama Nation Fisheries Program has gone to great lengths, with significant investments, to correct the legacy impacts of past land use-throughout Washington State. In fact, Yakama Nation Fisheries Scientists recently identified the Type F stream that exists within the parcel as prime habitat to out plant juvenile Coho-to bolster salmon populations in the Yakima Basin.

The entire project is shown to be in the 100-year floodplain. The proponent provides no explanation for how the storage facility and septic won't be flooded, and carry petroleum products, septic and other hazard material into streams and wetlands.

YN DNR is concerned the proposed activities have the potential to degrade aquatic habitat and alter hydrologic function. An increase in the buffer distance between development and wetlands and the stream would help alleviate some of these concerns, but does not address the fact that work is proposed in an area identified by Kittitas County as prone to flooding.

The project narrative for the conditional use permit describes an RV repair shop, septic for the shop, private restrooms with showers, and a public restroom. None of this is mentioned or included in the SEPA checklist or other documents. The septic drain fields for the house and RV repair shop also aren't shown on the site map, and their proximity to wetlands and streams. The location and design of the septic tanks and drain fields need to be provided for review.

The site plan map shows a narrow triangle piece of ground as "reserve for stormwater retention", but has no details or information on how or whether this will keep runoff from the storage facility from going into wetlands and streams. The plan needs to provide information on how they intend to capture, retain and infiltrate all stormwater runoff coming off the facility.

YN DNR appreciates the opportunity to comment on the SEPA, Conditional Use Permit, and looks forward to working with Kittitas County to ensure that proposed land use plans and regulations promote sustainable development and protect the environment, including the Yakama Nation's Treaty-reserved resources. Please contact YN DNR's Ryan DeKnikker at dekr@yakamafish-nsn.gov with any questions regarding these comments.

Sincerely,



PHIL RIGDON, SUPERINTENDENT
YAKAMA NATION DEPARTMENT OF NATURAL RESOURCES