

**From:** [Jeremy Johnston](#)  
**To:** "Ed Sewall"; [Spencer Parr](#)  
**Cc:** [Kelly Bacon \(CD\)](#); [Jeremy Larson](#)  
**Subject:** RE: Swiftwater Storage CUP and Residential Building Application Parcel 15445  
**Date:** Tuesday, May 25, 2021 2:26:29 PM

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Hi Ed,

Yes, we had a conversation with the Department of Ecology as our GIS mapping is a little strange for this parcel. Ecology confirmed that the Shoreline extends beyond the purple area from our GIS mapping. Additionally our Shoreline code, specially 17B.01.020, describes Shoreline jurisdiction to include all contiguous wetlands of a Shoreline.

**Jeremy Johnston**

*Kittitas County CDS, Planning Official*

(509) 962-7065

[jeremy.johnston@co.kittitas.wa.us](mailto:jeremy.johnston@co.kittitas.wa.us)



"Building Partnerships-Building Communities"

Please Note: In an effort to mitigate the spread of COVID-19 and the Governor's "Safe Start" reopening plan, Kittitas County Community Development Services is currently in Phase 3 and is open to the public in a limited capacity. At this time many of us are on a rotating schedule working from home and in the office; during this time I will do my best to respond to you as promptly as possible.

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**From:** Ed Sewall <esewall@sewallwc.com>  
**Sent:** Tuesday, May 25, 2021 11:17 AM  
**To:** Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Spencer Parr <spencer@washingtonlawcenter.com>  
**Cc:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>  
**Subject:** RE: Swiftwater Storage CUP and Residential Building Application Parcel 15445

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Jeremy, I can see the mapped shoreline comes up to the east edge of the site (see attached Taxsifter map with shoreline shaded), but does that mean this entire wetland area falls under the Shoreline jurisdiction?

Ed

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**From:** Jeremy Johnston <[jeremy.johnston@co.kittitas.wa.us](mailto:jeremy.johnston@co.kittitas.wa.us)>  
**Sent:** Tuesday, May 25, 2021 10:18 AM  
**To:** Ed Sewall <[esewall@sewallwc.com](mailto:esewall@sewallwc.com)>; Spencer Parr <[spencer@washingtonlawcenter.com](mailto:spencer@washingtonlawcenter.com)>  
**Cc:** Kelly Bacon (CD) <[kelly.bacon.cd@co.kittitas.wa.us](mailto:kelly.bacon.cd@co.kittitas.wa.us)>; Jeremy Larson <[jeremy.larson@co.kittitas.wa.us](mailto:jeremy.larson@co.kittitas.wa.us)>  
**Subject:** Swiftwater Storage CUP and Residential Building Application Parcel 15445

Hi Ed,

Thank you for the clarification, this is helpful. I do have to note that these wetland areas are considered contiguous to a Shoreline and therefore the buffers must be drawn from KCC 17B.50.020G-1, For Category 2 wetlands. These buffers are as follows:

**Table 5.2-1. Wetland Buffers for Wetlands in Shoreline Jurisdiction**

| Wetland Category | Low Intensity Use and Development | Moderate Intensity Use and Development* | High Intensity Use and Development* |
|------------------|-----------------------------------|---|-------------------------------------|
| Category I       | 125 feet                          | 190 feet                                | 250 feet                            |
| Category II      | 100 feet                          | 150 feet                                | 200 feet                            |
| Category III     | 75 feet                           | 110 feet                                | 150 feet                            |
| Category IV      | 25 feet                           | 40 feet                                 | 50 feet                             |

The Commercial Use being proposed under the Swiftwater CUP would be considered a High Intensity Use, which requires a 200 foot structural setback. We will need an updated site plan from the applicant which indicates these updated setback boundaries.

As a side note, regarding the proposed residence on the parcel, the site plan will need to be updated as well for this building application. In this case the residence is considered a moderate intensity use which will require a 150 foot structural setback (see table above). Depending on the precise location of the residence, in reference to this setback line, a Shoreline Exemption may be required.

Please provide the updated site plan for the Swiftwater CUP to Kelly Bacon (CC'd) in this email. The updated site plan for the residence can be sent to myself and Jeremy Larson in CDS Building (Also CC'd in this email). Once I am able to review the updated residential site plan I will let you know whether a Shoreline Exemption is necessary.

Let me know if you have any questions.

**Jeremy Johnston**

Kittitas County CDS, Planning Official  
(509) 962-7065  
[jeremy.johnston@co.kittitas.wa.us](mailto:jeremy.johnston@co.kittitas.wa.us)



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**From:** Ed Sewall <[esewall@sewallwc.com](mailto:esewall@sewallwc.com)>  
**Sent:** Monday, May 24, 2021 8:34 AM  
**To:** Jeremy Johnston <[jeremy.johnston@co.kittitas.wa.us](mailto:jeremy.johnston@co.kittitas.wa.us)>  
**Cc:** Spencer Parr <[spencer@washingtonlawcenter.com](mailto:spencer@washingtonlawcenter.com)>  
**Subject:** WLC Stillwater Storage

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Jeremy, I am emailing you regarding the WLC Stillwater Storage site in the Cle Elum area. It seems there is some confusion as to what was delineated, at least within the County as I spoke to Lori White and she said she agreed with my delineation etc. I think the confusion may be the survey of my wetland flags was not in the report, I have attached it. The wetlands on the north and south as shown in the inventory is only approximate and not correct. It is one continuous wetland as I flagged and as is shown on the survey. It's a Cat II wetland with a 100' buffer as detailed in the report and was flagged with flags A1-A31. The flag points are not labeled on the drawing, but the flag line is what the wetland edge is based on in this survey. . The Type F/2 stream is in the center of the northern portion of the wetland and the buffer of the stream is within the wetland buffer, the wetland buffer is the widest point. It's not influenced by irrigation, but is one wetland and is not as large or configured like the inaccurate approximation shown on the inventory as an emergent wetland (PEM).

As you are most likely aware, most of the wetlands shown on the County wetland layer are approximations and in my experience not correct in size, location and configuration. They are just guesses based upon air photo interpretation so to have a delineation that differs from the inventory is almost always the case when using the current Corps methodology.

I know that some buffer disturbance apparently occurred and I will be looking at this but I wanted to clear up the delineation location etc. Let me know if you have any questions.

***Ed Sewall***

***Sewall Wetland Consulting, Inc.***

***(253) 859-0515***

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