



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

February 29, 2008

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

RECEIVED

MAR 03 2008

KITTITAS COUNTY
CDS

Dear Mr. Valoff:

Thank you for the opportunity to provide additional comments on the optional determination of non-significance process for the cluster plat of approximately 21.03 acres into 14 lots, proposed by Todd and Terry Geiger [P-07-53], also known as Dakota Heights LLC. We have the following additional comments to Ecology's previous letter dated February 12, 2008:

Water Resources

This parcel, parcel No. 1916060100019, was originally proposed to be developed into a 14-lot Performance Based Cluster Plat by White Tail LLC back in October 2006. In November 2006, a Mitigated Determination of Non-significance (MDNS) was issued by Kittitas Community Development Services. That MDNS was appealed by the Department of Ecology in December 2006.

Ecology believed White Tail LLC's project was related to three other adjacent 14-lot Performance Based Cluster Plats that were proposed at the same time by the same owners, for a total of 56 lots. Ecology believed the County's review of this original project violated WAC 197-11-060(3)(b) because it did not consider the cumulative environmental impacts, including cumulative impacts of water use, of this plat and the other three interdependent developments. At the time, these four developments were under common or overlapping ownership, which proposed to share interdependent facilities (including roads and utility corridors) and were being developed contemporaneously.

Further, Ecology raised concerns that the checklist was inadequate because it failed to disclose any information relative to the potential environmental impacts of the proposed use of water for development, alone or in conjunction with related developments. Those impacts would include adverse effects on existing water rights and any hydraulically connected water bodies. The SEPA exemption for ground water withdrawals (WAC 197-11-800(4) does not apply here because the platting approval for this project itself requires SEPA compliance that in turn nullifies application of the exemption. See WAC 197-11-305(1)(b)(i).

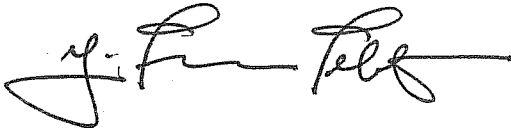


Dan Valoff
February 29, 2008
Page 2 of 2

According to the map attached to the current proposal, File No. P-07-53, roads will be shared with adjacent parcel No. 1916060100008. This adjacent parcel, owned by Pine View Estates LLC, was one of the original 14-lot Performance Based Cluster Plat (File No. P-06-20). Since there are still common facilities, interconnected plans, and relatively contemporaneous development of the two parcels which derive from a common parcel recently created, it is our opinion that the Dakota Heights parcel no. 1916060100019 continues to part of a larger a larger project. In other words, the change in ownership has not altered its status as part of the proposed group use.

In summary, Ecology considers at a minimum these two projects (Pine View Estates and Dakota Heights) to be a single project and therefore subject to cumulative environmental review and a group domestic use under RCW 90.44.050. Because the combined total 28 lots between both projects would exceed water use of 5,000 gallons per day under the groundwater exemption (RCW 90.44.050), these projects require a water right.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Thomas Tebb". The signature is fluid and cursive, with a long horizontal stroke at the end.

G. Thomas Tebb, L.E.G.
Section Manager
Water Resources Program
Central Regional Office

GTT:MD:gh
080243

cc: Gwen Clear, Department of Ecology, CRO



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

RECEIVED

FEB 13 2008

KITTITAS COUNTY
CDS

February 12, 2008

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

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the cluster plat of approximately 21.03 acres into 14 lots, proposed by Todd and Terry Geiger [P 07-53]. We have reviewed the documents and have the following comments.

Air Quality

If the proponent is planning to remove trees or debris from the property, they need to verify that the property is located outside the Urban Growth Area (UGA), where residential and land clearing burning is prohibited. They can do so by contacting their county planning department. If the project location is outside the UGA, they need to obtain a burn permit from Ecology if they are planning to burn trees or debris from the property. Only natural unprocessed vegetation may be burned in an outdoor fire. If the project location is inside the UGA, they must use an alternative to burning.

Due to the dry conditions of our region, we are reminding people that extra efforts are needed to control blowing dust and dirt. The proponent should create a site-specific Fugitive Dust Control Plan (FDCP) before starting this project, and then follow the plan for construction of the project and duration of activity on property. The FDCP should include, but is not limited to, the following components:

- Identify all potential fugitive dust emission points.
- Assign dust control methods.
- Determine the frequency of application
- Record all dust control activities.
- Train personnel in the FDCP.
- Shut down during windy conditions.



- Follow the FDCP and monitor dust control efforts.

Washington Administrative Code (WAC) 173-400-040 requires that reasonable precautions be taken to prevent dust from leaving the site. Also, dust is prohibited from interfering unreasonably with the use and enjoyment of property, causing health impacts, or damaging property or business.

If you have any questions concerning the Air Quality comments, or would like assistance in creating a FDCP, please contact Maureen McCormick at 509-454-7660.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.

The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more that .5 acre of lawn and garden.

With the Supreme Court's guidance on the limitations of groundwater exemptions, all lots within this proposed subdivision would be covered by a single groundwater exemption provided this development is not part of a larger project.

To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. Water use data should be recorded by the property owner of the well monthly. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions. For metering information, please contact Ken Schuster at (509) 454-4263.

Mr. Valoff
February 12, 2008
Page 3 of 3

To comply with irrigating up to 0.5 acres of lawn and garden, Ecology recommends requiring property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Water Quality

Project Greater-Than 1 Acre With Potential To Discharge Off-Site

An 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 more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes 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 Cory Hixon at the Dept. of Ecology, (509) 454-4103, with questions about this permit.

Sincerely,



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



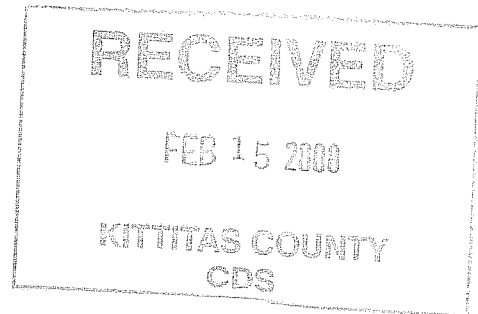
STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

February 15, 2008

Mr. Dan Valoff
Staff Planner
Kittitas County Development Services
411 Ruby St., Ste 2
Ellensburg/WA/98926



In future correspondence please refer to:

Log: 021508-06-KT
Property: Dakota Heights PBC Plat, File # P-07-53
Re: Archaeology - Survey Requested

Dear Mr. Valoff:

We have reviewed the materials forwarded to our office for the proposed project referenced above. Based on its location, the area has potential for unrecorded archaeological resources. We recommend that an archaeological survey be conducted of the parcel prior to any ground disturbing activities, since relying on identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays to the landowner and damage to the resource. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Should you have any questions, please feel free to contact me at (360) 586-3088 or Scott.Williams@dahp.wa.gov.

Sincerely,

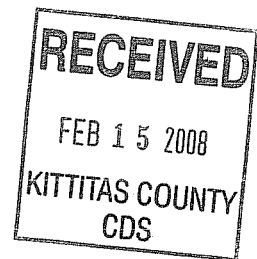
A handwritten signature in black ink, appearing to read "Scott Williams".

Scott Williams
Assistant State Archaeologist
(360) 586-3088
scott.williams@dahp.wa.gov

CC: Johnson Meninick, YIN

February 08, 2008

Community Development Services
411 N. Ruby Street
Ellensburg, WA 98926



Dear County Commissioners/County Development Services:

We write to challenge the Dakota Heights Cluster Plat P-07-53, a proposed 14-lot cluster plat on approximately 21.03 acres of land that is zoned AG-3, located off Watson Cutoff Road and Upper Peoh Point Road.

On October 5, 2006, you approved the Pine View Estates Cluster Housing Development application from Jeff Potter, Tacoma, WA which is also located off Watson Cutoff Road and Upper Peoh Point Road, Cle Elum, against the recommendations of the Kittitas County Planning Commission and the Washington State Department of Ecology.

There were three additional 14-lot cluster plats that were submitted by one developer on October 14, 2006 in this same vicinity: Vaquero Valley P-06-37, White Tail P-06-33 and Watson Cutoff P-06-34. Our neighborhood challenged this development in court and these three cluster plat applications were withdrawn. Dakota Heights looks like a reconfiguration of White Tail.

Since Dakota Heights LLC 14-lot Performance Based Cluster Plat is not an isolated division of land, being adjacent to Pine View Estates, this entire development is in opposition to the landmark Supreme Court decision Campbell-Gwynn. Adjacent projects require cumulative review so that the potential impacts of all the development and possible mitigation can be appropriately assessed.

The county needs to consider common ownership related to common development, impact on infrastructure, environment, natural resources, wildlife, air quality, light pollution, quality of life and finally, the policies of the Departments of Ecology and Health need to be addressed.

Here is why Dakota Heights Cluster Plat threshold determination should be that of a Determination of Significance:

1. WATER: Kittitas County is failing to protect the Upper County Watershed which affects the availability of water for Upper County Residents.

According to the WA state Departments of Ecology and Health, this development would not qualify for a Group B well. The proposed Dakota Heights LLC requires a Class A well which in turn, requires a different system and a water right. Currently, there is a wait list and priority system due to an over-allocated basin. Water is our most important issue when reviewing these applications. This should not have to go back to the state

agency for review. Dakota Heights is yet another example of unchecked development where there is inadequate information on water supply to support such sprawl. Citizens in the area have informed the county about problems with well, reduced flow and sediment in the water in the Upper Peoh/Watson Cutoff/Lower Peoh areas. With the ongoing work on water issues and potential litigation, (once again), Kittitas County is acting irresponsible manner to continue to authorize cluster plat divisions of land, knowing that the owners will be utilizing a water source that may not be legal. The State Department of Health has stated that this county can allow up to 9 hook ups for a single development. Since this Dakota Heights proposal is part of a larger project, a cumulative review is required.

The county is condoning altered hydrology systems in Upper County by allowing development in the fields and forests that are the source of our watershed. Long-term modifications to and reductions in water quantity will have dramatic impact upon Upper County.

According to Bill Hinkle, a Yakima Basin ground water study is underway and will be completed at the end of next year. Kittitas County is doing an inventory of past and present well production countywide. Hinkle said the basin wide study doesn't cover much of Upper County which needs a much closer look. "There are decisions being made on developments without a way to evaluate the impacts," he said. In the meantime, the Notice of Application Dakota Heights Cluster Plat P-07-53 reads, "A Determination of Non-Significance (DNS) is expected to be issued." Facts are not available in support this determination.

The intense use of groundwater has caused major water-level declines and significantly decreased the saturated thickness of aquifers in some areas. Land drainage is a source of ground-water depletion, as the construction of drainage ditches and canals in superficial systems can lead to regional lowering of the water table.

Declining ground water levels have three main effects on water wells. First, as the depth to water increases, the water must be lifted higher to reach the land surface. As the lift distance increases, so does the energy required to drive the pump. Therefore, power costs increase as ground-water levels decline. Second, ground water levels may decline below the bottom of existing pumps, necessitating the expense of lowering the pump, deepening the well, or drilling a deeper replacement well. Third, the yield of the well may decline below usable rates. Please research the number of residents having trouble with water supply, experiencing dry wells, sediment in the water and decreased flow.

2. SALMON AND OTHER ENDANGERED SPECIES:

According to the Department of Fish and Wildlife, an excess of wells can lower the water table. A lowered water table affects the ability of our waterways to maintain temperature. A rise in temperature has already been noted in both the Teanaway and Yakima Rivers. This increase in temperature will cause the rivers to lose their ability to support aquatic diversity.

Sewage run-off from yet another 14 residences built on 21 acres built on blue clay soil will flow down to the Yakima River, acting as pollutants to the aquatic life.

3. TRAFFIC AND CONGESTION:

The county has an obligation for the greater good of the taxpayers to evaluate all cumulative impacts of development activity, including but not limited to, traffic.

With regard to traffic, both the state and the county agree that a single family home typically is on the road 10 times a day. The Dakota Heights Cluster would add 140 trips a day. In isolation, this traffic flow is not extreme, however, the cumulative effect of the traffic from Pine Ridge Cluster Plat and the others approved for Upper Peoh Point is significant. The other four cluster plats would add an additional 560 trips accounting for a total of 700 trips per day.

An additional 700 vehicles to the current 5,000 vehicles using the South Cle Elum road and bridge would exacerbate the problem of urban density traffic. Combined with poor traffic planning, our infrastructure is at risk.

State law requires local governments to plan for growth. Road usage is a vital part of that plan. RCW 36.70A070 directs that a local government must establish a level of service, inventory all transportation facilities and services 'to define existing capital facilities and travel levels,' and project future needs.

RCW 36.70A70 requires a transportation element that implements, and is consistent with the land use element. Urban densities are inappropriate. Under this RCW, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standard adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.

4. COMPROMISING RECREATION AND WILDLIFE HABITAT

This land is a migration route for elk and deer. According to the Department of Fish and Wildlife, elk need such passageways in order to migrate to the lowlands for winter feeding and water. Approval of Dakota Heights will prevent the elk from moving across the land to the Yakima River.

Changes in scenic quality and recreational opportunities owing to loss of open space, decreased parcel size and fragmentation, all of which will degrade the recreational experience for cross country skiers, hikers, campers, mountain bikers and lead to increased likelihood of land use conflicts (Gobster and Rickenback, 2004.)

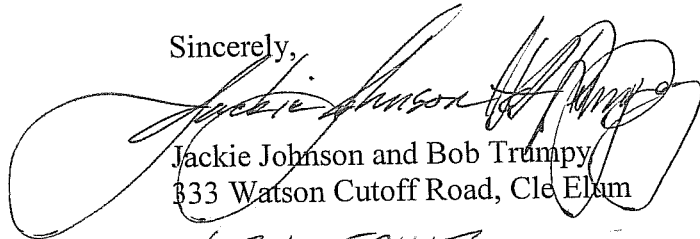
Tourism is big business. According to Thomas Michael Power, professor and chair of the Department of Economics at the University of Montana,..."more and more travelers want

to make direct contact with the landscapes, communities and cultures they visit. By turning forest, range and farmland into houses, we are undermining what is unique about our area and may well be destroying our own market.”

If you approve the proposed Dakota Heights Cluster Plat by issuing a Determination of Non-Significance, you destroy more resources which draw tourists and others who seek out forest, field and farms for recreation, food source and relaxation. You continue to neglect to research the environmental impact of converting sensitive areas (forest, fields and wildlife) into cluster developments. The State Growth Management Plan states that cluster housing needs to be located adjacent to cities where the infrastructure is already in place. Adjacent cluster plat developments on Ag-3 zoned land do not meet that criteria. Cluster plats do not belong in rural settings like Upper Peoh Point Road. Cluster plats need to be confined to the city limits where infrastructure is in place and water is available. If Dakota Heights Cluster Plat is issued as a DNS, you are in violation of the RCW's mentioned above and the Growth Management Act.

We urge you to adequately evaluate this proposal through an environmental impact statement with consideration to impact on wildlife, infrastructure, water availability, air quality, light pollution, traffic, etc. to avoid further litigation.

Sincerely,

Handwritten signatures of Jackie Johnson and Bob Trumpy in black ink. The signatures are overlapping and written in a cursive style.

Jackie Johnson and Bob Trumpy
333 Watson Cutoff Road, Cle Elum

674-5847

melissa bates

DÉJÀ VU

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

14 February, 2008

RECEIVED

FEB 15 2008

Kittitas County
CDS

Re: DAKOTA HEIGHTS LLC- P-07-53
Staff Planner: Dan Valoff

The Dakota Heights LLC 14-lot Performance Based Cluster Plat is not an isolated division of land. The applicant's own map clearly shows that it is adjacent to another project, Pine View Estates and even plans to utilize their road to access this plat. This, therefore, falls under the category (as defined by the landmark Supreme Court decision - commonly referred to as Campbell-Gwinn) as adjacent projects requiring cumulative review. This is so that the potential impacts of all the development and possible mitigation can be properly assessed. Common ownership is only one way to determine common development; related infrastructure and systems (roads, etc...) also show applicability of Campbell Gwinn. Department of Ecology issued a strongly worded statement in December of 2006, based on the original development of this VERY parcel of land. The names may have changed, but the result remains the same.

A Group B well is clearly not allowed according to both the state Departments of Ecology AND Health. At what stage do the actual laws come into consideration for applications? After everything has been approved? A Class A well requires a different system AND a water right. Is the applicant aware of the Priority system and the current wait list? This is a fully (over) allocated basin - it is not a simple matter to turn a Group B well into a Class A system. Water is one of the most important issues when reviewing these types of projects and should be the primary focus when considering such applications, without leaving it up to a State agency that may not realize the comprehensive nature of the project, or may simply be too overworked to review it properly.

Regarding the SEPA checklist:

A. Background

White tail LLC (2006 - for more background)

4. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Answer "None to our knowledge".

Dakota Heights LLC (2008)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Answer "NO".

The TRUTHFUL answer for Dakota Heights LLC should be "Map on preceding page shows interrelationship with the proposed and adjacent Pine View Estates clearly demonstrating the practices of a related project."

B. Environmental Elements

1. Earth

c.), the applicants "do not know" the types of soil or agricultural classification, yet in d.) they indicate there is no indication or history of unstable soils. They can't have it both ways.

3. Water

a.) 1.) answered "No" to question of surface water in immediate vicinity, yet there is a large pond located directly downhill (north) from proposed project.

5. Animals

Zero animals circled on checklist - however every single bird and mammal listed has been observed on this property with the exception of the beaver. As a previous resident of the property, I, among many others, can verify this.

This is also a known migration route - see comments below. Applicant's answer regarding whether it is a migration route; "None that I know of." Is this considered scientifically sufficient for county review?

8. Land and Shoreline Use

k.) 1.) It is disturbing to read that the applicant "Had pre app meeting with county" regarding measures to ensure the proposal is compatible with existing and projected land uses, and this is the application they come up with? This is the same county that has been involved in litigation over the same method of development on the same piece of property. What is the county's responsibility regarding development in this county? What sort of advice did the county deliver??

14. Transportation

a.) applicant states "Upper Peoh Pointe Rd." as the access, when, in fact, access must first go through Pine View Estates, where they will share a road.

f.) "Not known" for number of vehicle trips, yet the OFM has statistics to assist in interpreting this extremely important information. Kittitas County also has a Public Works dept. that could also shed light on this issue. Vehicles funneled from 28+ homes in this vicinity would have a tremendous impact on the local people.

15. Public Service

a.) Applicant states "No" increased need for public services. Unless a helicopter pad will be installed, and the occupants will work, go to school and use health care all outside of this county (without traveling on county roads), as well as never needing emergency services or police protection, then there will obviously be an impact on services and infrastructure by this development.

16. Utilities

Since a.) states there are no utilities at the site, then the absence of an answer for b.) to describe the utilities required remains an important item to address.

There are many issues involved with continued development in this fragile ecosystem, especially in light of the already heavily developed area and the other local projects in the works.

1. Impacts on wildlife : this is a known wildlife corridor - which has been dramatically narrowed due to the scope of development that has already occurred in this area, with more development on the books. Cougar traffic has been funneled through nearby sheep pastures largely due to the increase in development (WSF&W cougar biologists Ben Maletzke/Gary Koehler).

2. Impacts on Infrastructure : Roads - traffic has already increased, who will have to pay for the upgrades for these urban densities in this rural areas? EMS - Kittitas County emergency services are already over-tapped during high demand. Emergencies, by nature, mean that they can't be arranged to suit our current staffing. Fighting fires has become a defining characteristic of the 'rural' west. How have these concerns been addressed? Where are the updated studies to address the unprecedented growth that has occurred in Kittitas County? * see Cost of Community Services study attached.

3. Air Quality : More wood stoves will reduce the air quality, especially given that the increase in wood smoke correlates directly with weather inversions during the winter months.

4. Light Pollution: self-explanatory.

5. Water Quality : This increases the amount of sewage for the local area to absorb. Only an EIS could possibly assess the implications of this kind of development.

6. Quality of Life: The reason most people move here is for the quality of rural living. When people move into an urban setting, they bring urban expectations and habits with them. Densities of 1.5 acres is most definitely not rural in character and is, in fact, an urban density.

7. Water Availability : Last, but not least, Kittitas County is in a fully appropriated water basin. With the ongoing work on water issues (as in the MOA currently underway between Kittitas County and Ecology) and potential litigation, Kittitas County is extremely unwise to continue to authorize these divisions of land, fully aware that the owners plan to tap into a water source that may not be legally available. Kittitas County could (and should) be fully culpable if they continue to allow development on this scale without assurances that this is legal. The Department of Health has clearly stated that the county may only allow up to 9 hook-ups for a single development. Drawing a line and giving it a different name does NOT make it a separate project.

Answers on the SEPA checklist are inadequate at best and untruthful at worst. This project is clearly a part of a bigger project and therefore requires a cumulative review that can only be evaluated adequately through an Environmental Impact Statement.

Very Sincerely, Melissa Bates

Melissa Bates
120 Elk Haven Rd.
Cle Elum, WA 98922

Chronology

* Early - mid 2006: Kittitas County approves Pine View Estates, LLC, a 14-lot Performance Based Cluster Plat on 20+ acres, part of a larger parcel located on Watson Cutoff. True scope of development passes under the radar, only those within 300' notified - incomplete notification list, inadequate understanding of the nature of the 'unique' configuration of the open space and connecting corridor. 3 acres consistently ruled to be too small for a rural density by the Growth management Hearings Board - this project allows 1.5 acre densities within the Ag3 - even though located miles outside the UGA. Difficult issues to understand by experienced land-use planners, much less local citizens - SEPA appeal deadline passes. Denial recommended by Planning Commission, overturned by the board of County Commissioners.

* Late 2006: 3 additional 14-lot Performance Based Cluster Plats, platted at same time as Pine View Estates, are submitted and approved by CDS. Each project submitted as separate, unrelated project. Public record search shows all 4 projects owned by the same people, using 4 LLCs. All 4 SEPA checklists are identical - each denying any knowledge of adjacent projects - all while fully aware of common development planned. The 4 applications fit together in perfect jigsaw pattern.

* Oct 2006: Local citizens, frustrated by lack of transparency with the county and obvious collusion with developers to work around proper, legal land-use and water rights laws, form "Keep Watson Cutoff Rural" and appeal the Pine View Estates LLC approval and SEPA determinations of White Tail LLC, Vacuero Valley LLC and Watson Cutoff LLC.

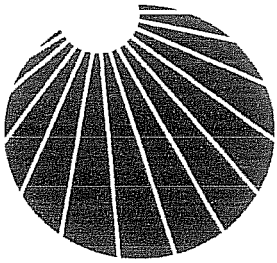
* Dec 2006: County wide practices of adjacent projects falsely submitted as smaller, unrelated projects, primarily in order to acquire a permit exempt well in place of a water right, resulted in an unprecedented 'white paper' statement from the State Department of Ecology regarding the continuing violation of the Supreme Court decision that adjacent and common projects be evaluated in a cumulative manner (Campbell Gwinn 2002).

* Jan 2007: The appellants and Judge were notified that the 3 subsequent Cluster Plats had been dropped by the developer on the morning of the court date for the Pine View Estates appeal.

* Jan 2007: The Depart of Health revokes the County's ability to approve more than 9 hook-ups on a Group B well after repeatedly being warned of non-compliance with the Federal Safe Drinking Water act. Public disclosure showed that the county was well aware of the problem of >9 hook-ups while continuing to approve 14 hook-up Group B wells, including the Pine View Estates, White Tail, Vacuero Valley and Watson Cutoff wells.

* Sept 2007: Continued county problems with a lack of water resource management, deliberate attempts to circumvent the laws, primarily the permit-exempt well loophole, led to a petition to Ecology by Aqua Permanente regarding the illegal use and abuse of permit exempt wells. This has resulted in the Memorandum of Agreement (MOA) currently being drafted between Kittitas County and Ecology (Feb 2008).

* Feb 2008: Dakota Heights LLC 14-lot Performance Based Cluster Plat proposed in same location as original White Tail LLC, using a Group B well and access through Pine View Estates LLC.



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Washington, DC 20036
(202) 331-7300
www.farmland.org

DESCRIPTION

Cost of Community Services (COCS) studies are a case study approach used to determine the fiscal contribution of existing local land uses. A subset of the much larger field of fiscal analysis, COCS studies have emerged as an inexpensive and reliable tool to measure direct fiscal relationships. Their particular niche is to evaluate working and open lands on equal ground with residential, commercial and industrial land uses.

COCS studies are a snapshot in time of costs versus revenues for each type of land use. They do not predict future costs or revenues or the impact of future growth. They do provide a baseline of current information to help local officials and citizens make informed land use and policy decisions.

METHODOLOGY

In a COCS study, researchers organize financial records to assign the cost of municipal services to working and open lands, as well as to residential, commercial and industrial development. Researchers meet with local sponsors to define the scope of the project and identify land use categories to study. For example, working lands may include farm, forest and/or ranch lands. Residential development includes all housing, including rentals, but if there is a migrant agricultural work force, temporary housing for these workers would be considered part of agricultural land use. Often in rural communities, commercial and industrial land uses are combined. COCS studies findings are displayed as a set of ratios that compare annual revenues to annual expenditures for a community's unique mix of land uses.

COCS studies involve three basic steps:

1. Collect data on local revenues and expenditures.
2. Group revenues and expenditures and allocate them to the community's major land use categories.
3. Analyze the data and calculate revenue-to-expenditure ratios for each land use category.

The process is straightforward, but ensuring reliable figures requires local oversight. The most complicated task is interpreting existing records to reflect COCS land use categories. Allocating revenues and expenses requires a significant amount of research, including extensive interviews with financial officers and public administrators.

HISTORY

Communities often evaluate the impact of growth on local budgets by conducting or commissioning fiscal impact analyses. Fiscal impact studies project public costs and revenues from different land development patterns. They generally show that residential development is a net fiscal loss for communities and recommend commercial and industrial development as a strategy to balance local budgets.

Rural towns and counties that would benefit from fiscal impact analysis may not have the expertise or resources to conduct a study. Also, fiscal impact analyses rarely consider the contribution of working and other open lands uses, which are very important to rural economies.

American Farmland Trust (AFT) developed COCS studies in the mid-1980s to provide communities with a straightforward and inexpensive way to measure the contribution of agricultural lands to the local tax base. Since then, COCS studies have been conducted in at least 102 communities in the United States.

FUNCTIONS & PURPOSES

Communities pay a high price for unplanned growth. Scattered development frequently causes traffic congestion, air and water pollution, loss of open space and increased demand for costly public services. This is why it is important for citizens and local leaders to understand the relationships between residential and commercial growth, agricultural land use, conservation and their community's bottom line.

COST OF COMMUNITY SERVICES STUDIES

For additional information on farmland protection and stewardship contact the Farmland Information Center. The FIC offers a staffed answer service, online library, program monitoring, fact sheets and other educational materials.

www.farmlandinfo.org

(800) 370-4879

COCS studies help address three claims that are commonly made in rural or suburban communities facing growth pressures:

1. Open lands—including productive farms and forests—are an interim land use that should be developed to their “highest and best use.”
2. Agricultural land gets an unfair tax break when it is assessed at its current use value for farming or ranching instead of at its potential use value for residential or commercial development.
3. Residential development will lower property taxes by increasing the tax base.

While it is true that an acre of land with a new house generates more total revenue than an acre of hay or corn, this tells us little about a community’s bottom line. In areas where agriculture or forestry are major industries, it is especially important to consider the real property tax contribution of privately owned working lands. Working and other open lands may generate less revenue than residential, commercial or industrial properties, but they require little public infrastructure and few services.

COCS studies conducted over the last 20 years show working lands generate more public revenues than they receive back in public services. Their impact on community coffers is similar to

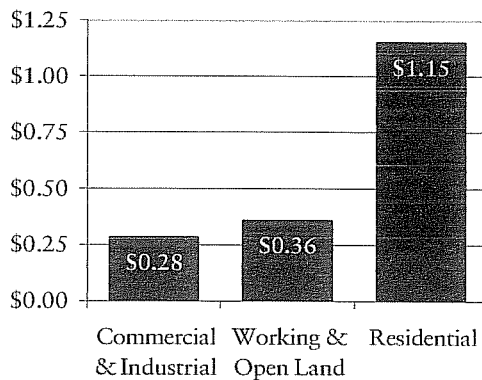
that of other commercial and industrial land uses. On average, because residential land uses do not cover their costs, they must be subsidized by other community land uses. Converting agricultural land to residential land use should not be seen as a way to balance local budgets.

The findings of COCS studies are consistent with those of conventional fiscal impact analyses, which document the high cost of residential development and recommend commercial and industrial development to help balance local budgets. What is unique about COCS studies is that they show that agricultural land is similar to other commercial and industrial uses. In every community studied, farmland has generated a fiscal surplus to help offset the shortfall created by residential demand for public services. This is true even when the land is assessed at its current, agricultural use.

Communities need reliable information to help them see the full picture of their land uses. COCS studies are an inexpensive way to evaluate the net contribution of working and open lands. They can help local leaders discard the notion that natural resources must be converted to other uses to ensure fiscal stability. They also dispel the myths that residential development leads to lower taxes, that differential assessment programs give landowners an “unfair” tax break and that farmland is an interim land use just waiting around for development.

One type of land use is not intrinsically better than another, and COCS studies are not meant to judge the overall public good or long-term merits of any land use or taxing structure. It is up to communities to balance goals such as maintaining affordable housing, creating jobs and conserving land. With good planning, these goals can complement rather than compete with each other. COCS studies give communities another tool to make decisions about their futures.

Median COCS Results



Median cost—per dollar of revenue raised—to provide public services to different land uses.

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

Community	Residential including farm houses	Commercial & Industrial	Working & Open Land	Source
Colorado				
Custer County	1 : 1.16	1 : 0.71	1 : 0.54	Haggerty, 2000
Saguache County	1 : 1.17	1 : 0.53	1 : 0.35	Dirt, Inc., 2001
Connecticut				
Bolton	1 : 1.05	1 : 0.23	1 : 0.50	Geisler, 1998
Durham	1 : 1.07	1 : 0.27	1 : 0.23	Southern New England Forest Consortium, 1995
Farmington	1 : 1.33	1 : 0.32	1 : 0.31	Southern New England Forest Consortium, 1995
Hebron	1 : 1.06	1 : 0.47	1 : 0.43	American Farmland Trust, 1986
Litchfield	1 : 1.11	1 : 0.34	1 : 0.34	Southern New England Forest Consortium, 1995
Pomfret	1 : 1.06	1 : 0.27	1 : 0.86	Southern New England Forest Consortium, 1995
Georgia				
Carroll County	1 : 1.29	1 : 0.37	1 : 0.55	Dorfman and Black, 2002
Grady County	1 : 1.72	1 : 0.10	1 : 0.38	Dorfman, 2003
Thomas County	1 : 1.64	1 : 0.38	1 : 0.66	Dorfman, 2003
Idaho				
Canyon County	1 : 1.08	1 : 0.79	1 : 0.54	Hartmans and Meyer, 1997
Cassia County	1 : 1.19	1 : 0.87	1 : 0.41	Hartmans and Meyer, 1997
Kentucky				
Lexington-Fayette	1 : 1.64	1 : 0.22	1 : 0.93	American Farmland Trust, 1999
Oldham County	1 : 1.05	1 : 0.29	1 : 0.44	American Farmland Trust, 2003
Maine				
Bethel	1 : 1.29	1 : 0.59	1 : 0.06	Good, 1994
Maryland				
Carroll County	1 : 1.15	1 : 0.48	1 : 0.45	Carroll County Dept. of Management & Budget, 1994
Cecil County	1 : 1.17	1 : 0.34	1 : 0.66	American Farmland Trust, 2001
Cecil County	1 : 1.12	1 : 0.28	1 : 0.37	Cecil County Office of Economic Development, 1994
Frederick County	1 : 1.14	1 : 0.50	1 : 0.53	American Farmland Trust, 1997
Harford County	1 : 1.11	1 : 0.40	1 : 0.91	American Farmland Trust, 2003
Kent County	1 : 1.05	1 : 0.64	1 : 0.42	American Farmland Trust, 2002
Wicomico County	1 : 1.21	1 : 0.33	1 : 0.96	American Farmland Trust, 2001
Massachusetts				
Agawam	1 : 1.05	1 : 0.44	1 : 0.31	American Farmland Trust, 1992
Becker	1 : 1.02	1 : 0.83	1 : 0.72	Southern New England Forest Consortium, 1995
Deerfield	1 : 1.16	1 : 0.38	1 : 0.29	American Farmland Trust, 1992
Franklin	1 : 1.02	1 : 0.58	1 : 0.40	Southern New England Forest Consortium, 1995
Gill	1 : 1.15	1 : 0.43	1 : 0.38	American Farmland Trust, 1992
Leverett	1 : 1.15	1 : 0.29	1 : 0.25	Southern New England Forest Consortium, 1995
Middleboro	1 : 1.08	1 : 0.47	1 : 0.70	American Farmland Trust, 2001
Southborough	1 : 1.03	1 : 0.26	1 : 0.45	Adams and Hines, 1997
Westford	1 : 1.15	1 : 0.53	1 : 0.39	Southern New England Forest Consortium, 1995
Williamstown	1 : 1.11	1 : 0.34	1 : 0.40	Hazler et al., 1992
Michigan				
Marshall Twp., Calhoun Cty.	1 : 1.47	1 : 0.20	1 : 0.27	American Farmland Trust, 2001
Newton Twp., Calhoun Cty.	1 : 1.20	1 : 0.25	1 : 0.24	American Farmland Trust, 2001
Scio Township	1 : 1.40	1 : 0.28	1 : 0.62	University of Michigan, 1994

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

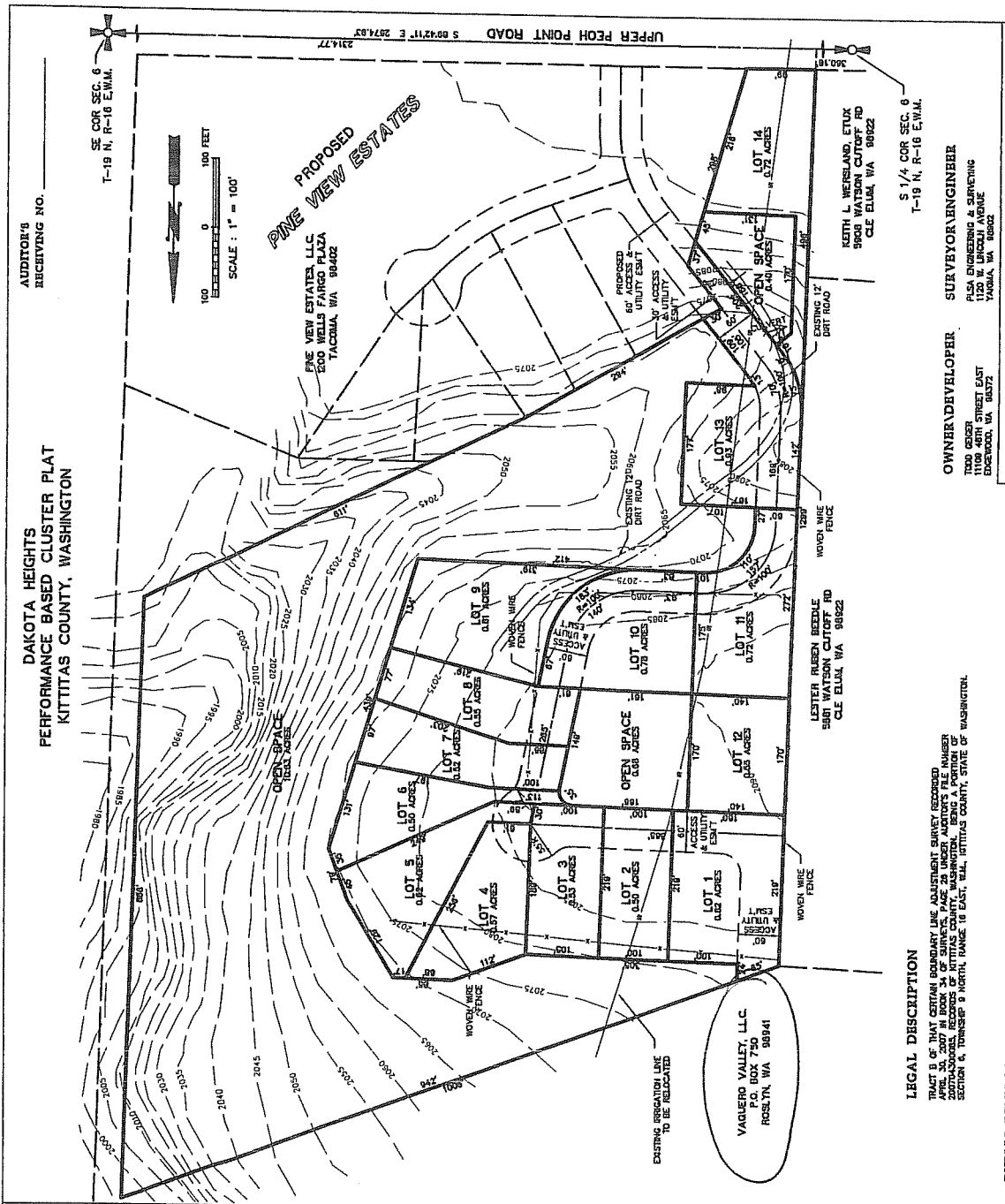
Community	Residential including farm houses	Commercial & Industrial	Working & Open Land	Source
Minnesota				
Farmington	1 : 1.02	1 : 0.79	1 : 0.77	American Farmland Trust, 1994
Lake Elmo	1 : 1.07	1 : 0.20	1 : 0.27	American Farmland Trust, 1994
Independence	1 : 1.03	1 : 0.19	1 : 0.47	American Farmland Trust, 1994
Montana				
Carbon County	1 : 1.60	1 : 0.21	1 : 0.34	Prinzing, 1999
Gallatin County	1 : 1.45	1 : 0.16	1 : 0.25	Haggerty, 1996
Flathead County	1 : 1.23	1 : 0.26	1 : 0.34	Citizens for a Better Flathead, 1999
New Hampshire				
Deerfield	1 : 1.15	1 : 0.22	1 : 0.35	Auger, 1994
Dover	1 : 1.15	1 : 0.63	1 : 0.94	Kingsley et al., 1993
Exeter	1 : 1.07	1 : 0.40	1 : 0.82	Niebling, 1997
Fremont	1 : 1.04	1 : 0.94	1 : 0.36	Auger, 1994
Groton	1 : 1.01	1 : 0.12	1 : 0.88	New Hampshire Wildlife Federation, 2001
Stratham	1 : 1.15	1 : 0.19	1 : 0.40	Auger, 1994
Lyme	1 : 1.05	1 : 0.28	1 : 0.23	Pickard, 2000
New Jersey				
Freehold Township	1 : 1.51	1 : 0.17	1 : 0.33	American Farmland Trust, 1998
Holmdel Township	1 : 1.38	1 : 0.21	1 : 0.66	American Farmland Trust, 1998
Middletown Township	1 : 1.14	1 : 0.34	1 : 0.36	American Farmland Trust, 1998
Upper Freehold Township	1 : 1.18	1 : 0.20	1 : 0.35	American Farmland Trust, 1998
Wall Township	1 : 1.28	1 : 0.30	1 : 0.54	American Farmland Trust, 1998
New York				
Amenia	1 : 1.23	1 : 0.25	1 : 0.17	Bucknall, 1989
Beekman	1 : 1.12	1 : 0.18	1 : 0.48	American Farmland Trust, 1989
Dix	1 : 1.51	1 : 0.27	1 : 0.31	Schuyler County League of Women Voters, 1993
Farmington	1 : 1.22	1 : 0.27	1 : 0.72	Kinsman et al., 1991
Fishkill	1 : 1.23	1 : 0.31	1 : 0.74	Bucknall, 1989
Hector	1 : 1.30	1 : 0.15	1 : 0.28	Schuyler County League of Women Voters, 1993
Kinderhook	1 : 1.05	1 : 0.21	1 : 0.17	Concerned Citizens of Kinderhook, 1996
Montour	1 : 1.50	1 : 0.28	1 : 0.29	Schuyler County League of Women Voters, 1992
Northeast	1 : 1.36	1 : 0.29	1 : 0.21	American Farmland Trust, 1989
Reading	1 : 1.88	1 : 0.26	1 : 0.32	Schuyler County League of Women Voters, 1992
Red Hook	1 : 1.11	1 : 0.20	1 : 0.22	Bucknall, 1989
Ohio				
Clark County	1 : 1.11	1 : 0.38	1 : 0.30	American Farmland Trust, 2003
Knox County	1 : 1.05	1 : 0.38	1 : 0.29	American Farmland Trust, 2003
Madison Village	1 : 1.67	1 : 0.20	1 : 0.38	American Farmland Trust, 1993
Madison Township	1 : 1.40	1 : 0.25	1 : 0.30	American Farmland Trust, 1993
Shalersville Township	1 : 1.58	1 : 0.17	1 : 0.31	Portage County Regional Planning Commission, 1997

SUMMARY OF COST OF COMMUNITY SERVICES STUDIES, REVENUE-TO-EXPENDITURE RATIOS IN DOLLARS

Community	Residential including farm houses	Commercial & Industrial	Working & Open Land	Source
Pennsylvania				
Allegheny Township	1 : 1.06	1 : 0.14	1 : 0.13	Kelsey, 1997
Bedminster Township	1 : 1.12	1 : 0.05	1 : 0.04	Kelsey, 1997
Bethel Township	1 : 1.08	1 : 0.17	1 : 0.06	Kelsey, 1992
Bingham Township	1 : 1.56	1 : 0.16	1 : 0.15	Kelsey, 1994
Buckingham Township	1 : 1.04	1 : 0.15	1 : 0.08	Kelsey, 1996
Carroll Township	1 : 1.03	1 : 0.06	1 : 0.02	Kelsey, 1992
Hopewell Township	1 : 1.27	1 : 0.32	1 : 0.59	The South Central Assembly for Effective Governance, 2002
Maiden Creek Township	1 : 1.28	1 : 0.11	1 : 0.06	Kelsey, 1998
Richmond Township	1 : 1.24	1 : 0.09	1 : 0.04	Kelsey, 1998
Shrewsbury Township	1 : 1.22	1 : 0.15	1 : 0.17	The South Central Assembly for Effective Governance, 2002
Stewardson Township	1 : 2.11	1 : 0.23	1 : 0.31	Kelsey, 1994
Straban Township	1 : 1.10	1 : 0.16	1 : 0.06	Kelsey, 1992
Sweden Township	1 : 1.38	1 : 0.07	1 : 0.08	Kelsey, 1994
Rhode Island				
Hopkinton	1 : 1.08	1 : 0.31	1 : 0.31	Southern New England Forest Consortium, 1995
Little Compton	1 : 1.05	1 : 0.56	1 : 0.37	Southern New England Forest Consortium, 1995
Portsmouth	1 : 1.16	1 : 0.27	1 : 0.39	Johnston, 1997
West Greenwich	1 : 1.46	1 : 0.40	1 : 0.46	Southern New England Forest Consortium, 1995
Texas				
Bandera County	1 : 1.10	1 : 0.26	1 : 0.26	American Farmland Trust, 2002
Bexar County	1 : 1.15	1 : 0.20	1 : 0.18	American Farmland Trust, 2004
Hays County	1 : 1.26	1 : 0.30	1 : 0.33	American Farmland Trust, 2000
Utah				
Cache County	1 : 1.27	1 : 0.25	1 : 0.57	Snyder and Ferguson, 1994
Sevier County	1 : 1.11	1 : 0.31	1 : 0.99	Snyder and Ferguson, 1994
Utah County	1 : 1.23	1 : 0.26	1 : 0.82	Snyder and Ferguson, 1994
Virginia				
Augusta County	1 : 1.22	1 : 0.20	1 : 0.80	Valley Conservation Council, 1997
Clarke County	1 : 1.26	1 : 0.21	1 : 0.15	Piedmont Environmental Council, 1994
Culpeper County	1 : 1.22	1 : 0.41	1 : 0.32	American Farmland Trust, 2003
Frederick County	1 : 1.19	1 : 0.23	1 : 0.33	American Farmland Trust, 2003
Northampton County	1 : 1.13	1 : 0.97	1 : 0.23	American Farmland Trust, 1999
Washington				
Skagit County	1 : 1.25	1 : 0.30	1 : 0.51	American Farmland Trust, 1999
Wisconsin				
Dunn	1 : 1.06	1 : 0.29	1 : 0.18	Town of Dunn, 1994
Dunn	1 : 1.02	1 : 0.55	1 : 0.15	Wisconsin Land Use Research Program, 1999
Perry	1 : 1.20	1 : 1.04	1 : 0.41	Wisconsin Land Use Research Program, 1999
Westport	1 : 1.11	1 : 0.31	1 : 0.13	Wisconsin Land Use Research Program, 1999

American Farmland Trust's Farmland Information Center acts as a clearinghouse for information about Cost of Community Services studies. Inclusion in this table does not necessarily signify review or endorsement by American Farmland Trust.

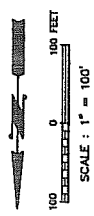
See Vaquero Valley
(next page) for
recent platting
history



AUDITOR'S RECEIVING NO. _____

**DAKOTA HEIGHTS
PERFORMANCE BASED CLUSTER PLAT
KITITAS COUNTY, WASHINGTON**

SE COR SEC. 6
T-19 N, R-16 E.W.M.



PINE VIEW ESTATES
FINE VIEW ESTATES, LLC
5800 W. HILL AVENUE, SUITE 100
YACOMA, WA 98948

UPPER PECH POINT ROAD
S 89°12'11" E 2874.83'
2914.77'

KEITH L. WERLAND, ETUX
5908 WATSON CUTOFF RD
CLE ELUM, WA 98822

S 1/4 COR SEC. 6
T-19 N, R-16 E.W.M.

OWNER/DEVELOPER
1700 4200 STREET EAST
EMERWOOD, WA 98372

SURVEYOR/ENGINEER
PLSA ENGINEERING & SURVEYING
1100 4200 STREET EAST
EMERWOOD, WA 98372

PLSA ENGINEERING-SURVEYING-PLANNING
YAKIMA, WASHINGTON
(509) 575-6990

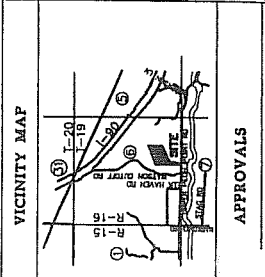
DATE: 7/27/2007	DRAWN BY: JOE
JOB NO. 07156	
SHEET NO. 1	
W 1/2, SE 1/4, SEC. 6, T-19 N, R-16 E.W.M.	

LEGAL DESCRIPTION
TRACT B OF THAT CERTAIN BOUNDARY LINE ADJUSTMENT SURVEY RECORDED APRIL 30, 2007 IN BOOK 34 OF SURVEYS, PAGE 29 UNDER AMTORG'S FILE NUMBER 11-20-08000-0811, BEING A PART OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 16 EAST, MERIDIAN, KITITAS COUNTY, STATE OF WASHINGTON.

PUBLIC BENEFIT ILLATING SYSTEM POINTS
25 POINTS
50 POINTS
100 POINTS
TOTAL

NOTES
TOTAL AREA = 21.03 ACRES
OPEN SPACE 11.81 ACRES (56.1%)
AVERAGE LOT AREA 0.43 ACRES

PROPOSED PLAT TO BE SERVICED BY INDIVIDUAL ONSITE SEPTIC SYSTEMS AND A CLASS "B" COLLECTOR WATER SYSTEM.
--- DENOTES EXISTING IRRIGATION LINE
--- DENOTES EXISTING FENCE



APPROVALS
KITITAS COUNTY ENGINEER
DATED AND APPROVED THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY ENGINEER

KITITAS COUNTY HEALTH DEPARTMENT
LABORATORY INSPECTION INDICATED SOIL CONDITIONS MAY BE USED FOR SEPTIC TANKS AS A TEMPORARY MEANS FOR THE PROPOSED CLUSTER PLAT. THE PROPOSED BUILDING SITES WITHIN THIS SHORT PLAT, PROPOSED DIMENSIONS OF LOTS ARE URGED TO MAKE INSURANCES AT THE TIME OF TANK PERMITS FOR LOTS.

DATE TO THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY HEALTH OFFICER

KITITAS COUNTY PLANNING DIRECTOR
I HEREBY CERTIFY THAT THE KING SHORT PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE KITITAS COUNTY PLANNING COMMISSION.

DATE TO THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY PLANNING DIRECTOR

KITITAS COUNTY TREASURER
I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS FOR THIS PLAT ARE NOW TO BE PAID FOR THE PLAT.

DATE TO THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY TREASURER

KITITAS COUNTY ASSESSOR
I HEREBY CERTIFY THAT THE DAKOTA HEIGHTS PLAT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE KITITAS COUNTY ASSESSOR FOR PLATTING.

DATE TO THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY ASSESSOR

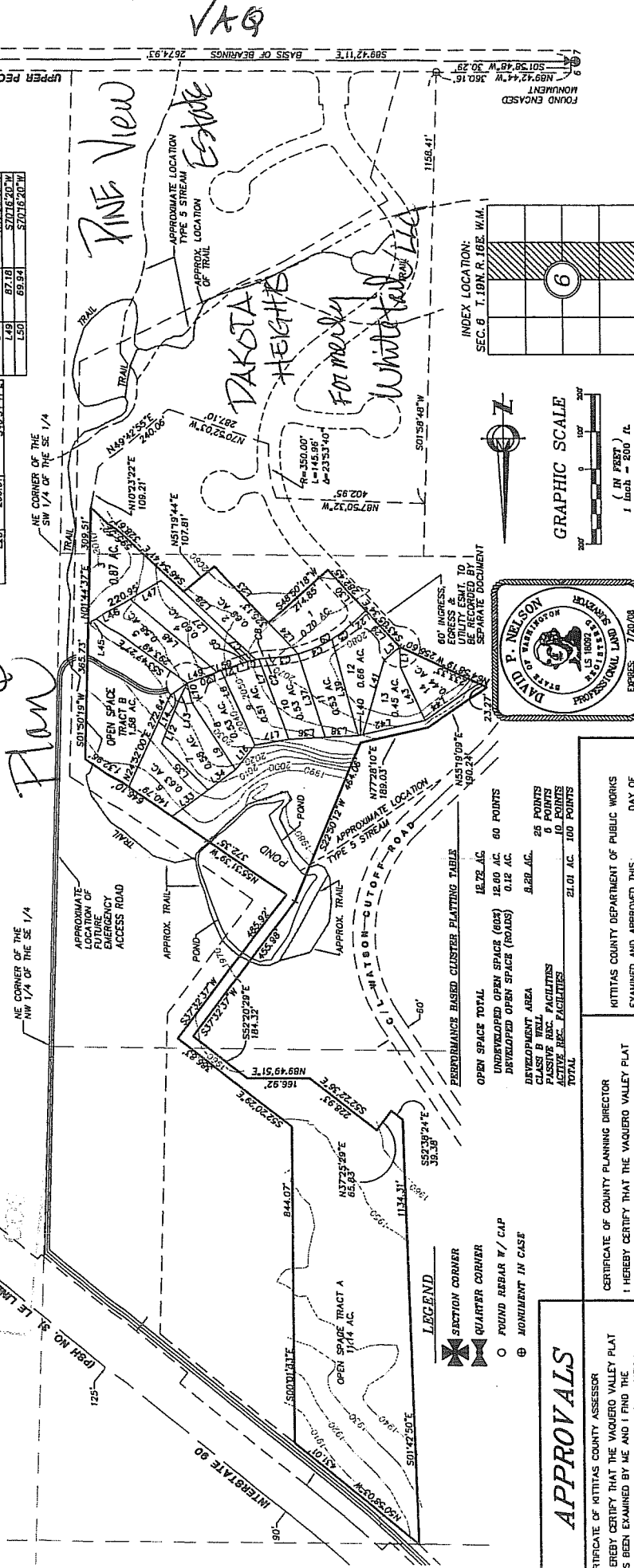
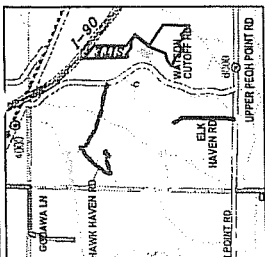
KITITAS COUNTY COMMISSIONERS
I HEREBY APPROVE THIS _____ DAY OF _____ A.D. 200__

KITITAS COUNTY COMMISSIONERS
CLERK OF THE BOARD

VAQUERO VALLEY PERFORMANCE BASED CLUSTER PLAT PORTION OF THE EAST 1/2, SEC. 6, T. 19N., R. 16E., W.M. KITTITAS COUNTY, WASHINGTON

CURVE	LENGTH	RADIUS	DELTA
C1	49.08	250.00	1174.50°
C2	30.08	250.00	653.91°
C3	77.00	318.00	1303.19°
C4	100.20	318.00	1659.08°
C5	67.62	318.00	1127.45°
C6	16.35	250.00	334.91°
C7	24.53	250.00	537.18°
C8	36.25	250.00	674.07°
C9	167.82	318.00	2826.50°

LINE	LENGTH	BEARING
L1	55.00	N02°35'18"W
L2	131.39	S43°05'34"E
L3	55.00	N49°07'00"E
L4	229.85	S71°55'19"E
L5	219.58	S71°55'19"E
L6	214.65	N33°03'44"W
L7	214.65	N33°03'44"W
L8	55.00	N13°17'44"W
L9	142.00	N71°45'02"E
L10	142.00	N71°45'02"E
L11	55.00	N45°59'50"W
L12	55.00	N45°59'50"W
L13	55.00	S82°22'40"W
L14	55.00	S82°22'40"W
L15	84.88	S82°22'40"W
L16	84.88	S82°22'40"W
L17	92.01	S00°11'11"W
L18	92.01	S00°11'11"W
L19	208.63	S70°16'20"W
L20	208.63	S70°16'20"W
L21	52.41	N65°19'09"E
L22	52.41	N65°19'09"E
L23	209.63	S43°44'54"E
L24	115.50	S43°44'54"E
L25	115.50	N68°40'13"E
L26	318.10	N48°45'30"W
L27	318.10	N48°45'30"W
L28	206.91	S46°54'41"E
L29	206.91	S46°54'41"E
L30	69.94	S70°16'20"W
L31	69.94	S70°16'20"W



Encompass
ENGINEERING & SURVEYING
108 EAST 2ND STREET
CLE ELUM, WA 98922
PHONE: (509) 674-7433
FAX: (509) 674-7419

VAQUERO VALLEY PERFORMANCE BASED CLUSTER PLAT PORTION OF THE E 1/2, SEC. 6, T. 19N., R. 16E., W.M. KITTITAS COUNTY, WASHINGTON

DWN BY: G. WEISER DATE: 08/06
JOB NO.: 05683
CHKD BY: D. NELSON SCALE: 1"=200'
SHEET: 1 OF 2

RECORDER'S CERTIFICATE

Filed for record this _____ day of _____, 20____, at _____ M in book _____ of page _____ at the request of _____

DAVID P. NELSON
Surveyor's Name

County Auditor _____ Deputy County Auditor _____

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under the direction and in accordance with the rules and regulations of the Survey Recording Act at the request of VAQUERO VALLEY LLC. _____

In: APRIL 2008. DAVID P. NELSON DATE

Certificate No. 18092

KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 20____

DIRECTOR, DEPARTMENT OF PUBLIC WORKS _____

KITTITAS COUNTY HEALTH DEPARTMENT

I HEREBY CERTIFY THAT THE VAQUERO VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THAT THE SEWAGE AND WATER SYSTEM HERIN SHOWN DOES MEET AND COMPLY WITH ALL REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT.

DATED THIS _____ DAY OF _____ A.D., 20____

KITTITAS COUNTY HEALTH OFFICER _____

CERTIFICATE OF COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE VAQUERO VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITTITAS COUNTY PLANNING COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 20____

KITTITAS COUNTY PLANNING DIRECTOR _____

CERTIFICATE OF KITTITAS COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.

PARCEL NO. 19-18-0610-0021

DATED THIS _____ DAY OF _____ A.D., 20____

KITTITAS COUNTY TREASURER _____

APPROVALS

CERTIFICATE OF KITTITAS COUNTY ASSESSOR

I HEREBY CERTIFY THAT THE VAQUERO VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THE PROPERTY TO BE IN AN ACCEPTABLE CONDITION FOR PLATTING. PARCEL NO. 19-18-0610-0021

DATED THIS _____ DAY OF _____ A.D., 20____

KITTITAS COUNTY ASSESSOR _____

KITTITAS COUNTY BOARD OF COMMISSIONERS

EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 20____

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

BY: CHAIRMAN _____ CLERK OF THE BOARD _____

ATTEST: _____

NOTICE: THE APPROVAL OF THIS PLAT IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED.

Dan Valoff

From: Brenda Deeds [deedsseeds@cleelum.com]
Sent: Friday, February 15, 2008 3:08 PM
To: Dan Valoff
Subject: Dakota Heights LLC

February 15, 2008

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

RE: DAKOTA HEIGHTS LLC- P-07-53
 STAFF PLANNER: Dan Valoff

The Dakota Heights LLC 14-lot Performance-Based Cluster Plat is not an isolated division of land. The applicant's own map clearly shows that it is adjacent to another project, Pine View Estates and even plans to utilize their road to access this plat. This, therefore, falls under the category (as defined by the landmark Supreme Court decision - commonly referred to as Campbell-Gwinn) as **adjacent projects requiring cumulative review**. This is so that the potential impacts of all the development and possible mitigation can be properly assessed.

Common ownership is only one way to determine common development; related infrastructure and systems (roads, etc...) also show applicability of Campbell Gwinn.

Department of Ecology issued a strongly worded statement in December of 2006, based on the original development of this VERY parcel of land. The names may have changed, but the result remains the same!

A Group B well is clearly not allowed according to both the state Departments of Ecology AND Health. At what stage do the actual laws come into consideration for applications?

After everything has been approved? A Class A well requires a different system AND a water right. Is the applicant aware of the Priority system and the current wait list? This is a fully (over) allocated basin - it is not a simple matter to turn a Group B well into a Class A system. Water is one of the most important issues when reviewing these types of projects and should be the primary focus when considering such applications, without leaving it up to a State agency that may not realize the comprehensive nature of the project, or may simply be too overworked to review it properly.

There are many issues involved with continued development in this fragile ecosystem, especially in light of the already heavily developed area and the other local projects in the works.

1. Impacts on wildlife: this is a known wildlife corridor - which has been dramatically narrowed, due to the scope of development that has already occurred in this area, with more development on the books. Cougar traffic has been funneled through nearby sheep pastures largely due to the increase in development (WSF&W cougar biologists Ben Maletzke/Gary Koehler).

2. Impacts on Infrastructure: Roads - traffic has already increased, who will have to pay for the upgrades for these urban densities in this rural areas? EMS - Kittitas County emergency services are already over-tapped during high demand. Emergencies, by nature, mean that they can't be arranged to suit our current staffing. Fighting fires has become a defining characteristic of the 'rural'

west. How have these concerns been addressed? Where are the updated studies to address the unprecedented growth that has occurred in Kittitas County?

3. Air Quality: More wood stoves will reduce the air quality, especially given that the increase in wood smoke correlates directly with weather inversions during the winter months. We want trees, not pollution!

4. Light Pollution: self-explanatory. We want trees, not pollution!

5. Water Quality: This increases the amount of sewage for the local area to absorb. Only an EIS could possibly access the implications of this kind of development.

6. Quality of Life: The reason most people move here is for the quality of rural living. When people move into an urban setting, they bring urban expectations and habits with them. Densities of 1.5 acres is most **definitely not rural** in character and is, in fact, an urban density.

7. Water Availability: Last, but not least, Kittitas County is in a fully appropriated water basin. With the ongoing work on water issues (as in the MOA currently underway between Kittitas County and Ecology) and potential litigation, Kittitas County is extremely unwise to continue to authorize these divisions of land, fully aware that the owners plan to tap into a water source that may not be legally available. Kittitas County could (and should) be fully **culpable** if they continue to allow development on this scale without assurances that this is legal. The Department of Health has clearly stated that the county may only allow up to 9 hook-ups for a single development. Drawing a line and giving it a different name does NOT make it a separate project!

Answers on the SEPA checklist are inadequate at best and untruthful at worst. This project is clearly a part of a bigger project and therefore **requires a cumulative review** that can only be evaluated adequately through an Environmental Impact Statement.

Sincerely,

Brenda & Robert Deeds
871 Hawk Haven Rd.
Cle Elum, WA 98922

ATTACHED: SEPA checklist comments

Regarding the SEPA checklist:

A. Background

White tail LLC (2006 - for more background)

4. *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Answer "None to our knowledge".*

Dakota Heights LLC (2008)

9. *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. Answer "NO".*

The **TRUTHFUL answer** for Dakota Heights LLC **should be** "Map on preceding page shows interrelationship with the proposed and adjacent Pine View Estates clearly demonstrating the practices of a related project."

B. Environmental Elements

1. Earth

c.), the applicants "do not know" the types of soil or agricultural classification, yet in d.) they indicate there is no indication or history of unstable soils. Which is it? They can't have it both ways!

3. Water

a.) 1.) answered "No" to question of surface water in immediate vicinity, yet there is a large pond located directly downhill (north) from proposed project.

5. Animals

Zero animals circled on checklist - however every single bird and mammal listed has been observed on this property with the exception of the beaver.

This is also a known migration route - see comments below. Applicant's answer regarding whether it is a migration route; "*None that I know of.*" Is this considered scientifically sufficient for county review?

8. Land and Shoreline Use

k.) 1.) It is hard to believe/read that the applicant "*Had pre app meeting with county*" regarding measures to ensure the proposal is compatible with existing and projected land uses, and this is the application they come up with? This is the same county that has been involved in litigation over the same method of development on the same piece of property. What is the county's responsibility regarding development in this county? What sort of advice did the county deliver?

14. Transportation

a.) applicant states "*Upper Peoh Pointe Rd.*" as the access, when, in fact, access must first go through Pine View Estates, where they will share a road!

f.) "Not known" for number of vehicle trips, yet the OFM has statistics to assist in interpreting this extremely important information. Kittitas County also has a Public Works Dept. that could also provide information regarding this issue. Vehicles funneled from 28+ homes in this vicinity would have a tremendous impact on the local people.

15. Public Service

a.) Applicant states "No" increased need for public services. How can this be? If the occupants will work, go to the store, go to school and use health care all outside of this county (without traveling on county roads), as well as never needing emergency services or police protection, then there will obviously be an impact on services and infrastructure by this development!

16. Utilities

Since a.) states there are no utilities at the site, then the absence of an answer for b.) to describe the utilities required **remains an important item to address.**

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It has removed 10828 spam emails to date.

Paying users do not have this message in their emails.

Try SPAMfighter for free now!

Dan Valoff

From: Joanie & Gary [jgkidsnk@cleelum.com]
Sent: Friday, February 15, 2008 1:45 PM
To: Dan Valoff
Subject: Dakota Heights Cluster Platt Development

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

15 February, 2008

Re: DAKOTA HEIGHTS LLC- P-07-53
 Staff Planner: Dan Valoff

The Dakota Heights LLC 14-lot Performance Based Cluster Plat is not an isolated division of land. The applicant's own map clearly shows that it is adjacent to another project, Pine View Estates and even plans to utilize their road to access this plat. This, therefore, falls under the category (as defined by the landmark Supreme Court decision - commonly referred to as Campbell-Gwinn) as adjacent projects requiring cumulative review. This is so that the potential impacts of all the development and possible mitigation can be properly assessed. Common ownership is only one way to determine common development; related infrastructure and systems (roads, etc...) also show applicability of Campbell Gwinn. Department of Ecology issued a strongly worded statement in December of 2006, based on the original development of this VERY parcel of land. The names may have changed, but the result remains the same.

A Group B well is clearly not allowed according to both the state Departments of Ecology AND Health. At what stage do the actual laws come into consideration for applications? After everything has been approved? A Class A well requires a different system AND a water right. Is the applicant aware of the Priority system and the current wait list? This is a fully (over) allocated basin - it is not a simple matter to turn a Group B well into a Class A system. Water is one of the most important issues when reviewing these types of projects and should be the primary focus when considering such applications, without leaving it up to a State agency that may not realize the comprehensive nature of the project, or may simply be too overworked to review it properly.

Regarding the SEPA
 checklist:

A. Background

White tail LLC
 (2006 - for more
 background)

There are many issues involved with continued development in this fragile ecosystem, especially in light of the already heavily developed area and the other local projects in the works.

1. Impacts on wildlife : this is a known wildlife corridor - which has been dramatically narrowed due to the scope of development that has already occurred in this area, with more development on the books. Cougar traffic has been funneled through nearby sheep pastures largely due to the increase in development (WSF&W cougar biologists Ben Maletzke/Gary Koehler).

2. Impacts on Infrastructure : Roads - traffic has already increased, who will have to pay for the upgrades for these urban densities in this rural areas? EMS - Kittitas County emergency services are already over-tapped during high demand. Emergencies, by nature, mean that they can't be arranged to suit our current staffing. Fighting fires has become a defining characteristic of the 'rural' west. How have these concerns been addressed? Where are the updated studies to address the unprecedented growth that has occurred in Kittitas County? * see Cost of Community Services study attached.

3. Air Quality : More wood stoves will reduce the air quality, especially given that the increase in wood smoke correlates directly with weather inversions during the winter months.

4. Light Pollution: self-explanatory.

5. Water Quality : This increases the amount of sewage for the local area to absorb. Only an EIS could possibly access the implications of this kind of development.

6. Quality of Life: The reason most people move here is for the quality of rural living. When people move into an urban setting, they bring urban expectations and habits with them. Densities of 1.5 acres is most definitely not rural in character and is, in fact, an urban density.

7. Water Availability : Last, but not least, Kittitas County is in a fully appropriated water basin. With the ongoing work on water issues (as in the MOA currently underway between Kittitas County and Ecology) and potential litigation, Kittitas County is extremely unwise to continue to authorize these divisions of land, fully aware that the owners plan to tap into a water source that may not be legally available. Kittitas County could (and should) be fully culpable if they continue to allow development on this scale without assurances that this is legal. The Department of Health has clearly stated that the county may only allow up to 9 hook-ups for a single development. Drawing a line and giving it a different name does NOT make it a separate project.

Answers on the SEPA checklist are inadequate at best and untruthful at worst. This project is clearly a part of a bigger project and therefore requires a cumulative review that can only be evaluated adequately through an Environmental Impact Statement.

Very Sincerely,
Joanne & Gary Mankus
211 Watson Cutoff Rd.
Cle Elum, WA. 98922

Dan Valoff

From: deidre [linkdal@televar.com]
Sent: Friday, February 15, 2008 7:37 AM
To: Dan Valoff
Subject: Fw: Dakota Heights comments

RECEIVED
FEB 15 2008
Kittitas County
CDS

Deidre Link
560 Hawk Haven Rd.
Cle Elum, WA 98922

February 14, 2008

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

Re: DAKOTA HEIGHTS LLC– P-07-53
Staff Planner: Dan Valoff

To Whom It May Concern,

I have strong objections to the above referenced cluster plat application. My concerns are, but not limited to; traffic, water availability/water quality, animal migration, and septic. This proposed project is part of a larger development plan put forth in mid 2006. The total number of homes proposed was 56. One 14-lot PBCP know as Pine View Estates was approved before surrounding neighbors became aware of the full scope of the proposed development. At that time DOE informed the county this project would require a Class A water system as per Campbell/Quinn. Changing the name from Whitetail LLC, legal ownership or the 21 acre parcel configuration does not change what is required by law.

A traffic study was never done; in the past 2 years there have been many more rezones and new lots created via serial short plats. The cumulative impact on roads, emergency services, fire, etc. of this development application must be considered as to whether or not it has public benefit.

Much of Kittitas County’s growth management plan is under judicial review. The proposed cluster plat development creates urban densities in rural areas; this is not in line with GMA guidelines.

Septic and water quality are difficult to address at this time. Septic has been identified as either individual or community. Further complicated by the applicants’ response to the question in section B. 1c., of their SEPA Check List; when asked what general types of soils are found on the site, etc.? Applicant states, “Do not know”.

I know for a fact there is a year round pond down-slope and due north (approximately 2000 feet ?) of the proposed new 14 lots and the existing 14 lots. We all know what runs downhill.

The proposed plan calls for the homes to utilize electricity - propane. Wood burning stoves are not mentioned but need to be addressed. It is during winter months we experience extended weather inversions and power outages. Adding a cluster of homes with wood burning stoves to the large amount of development already allowed in the area will only add to current winter air quality issues.

Light pollution is an issue. We rural land dwellers like how well our backyard telescopes work in the dark.

The property is a know wildlife corridor.

In light of so many unknown answers on the applicants' SEPA Check List, and lack of a study on cumulative impact, I feel this application requires a formal Environmental Impact Study.

Regards,

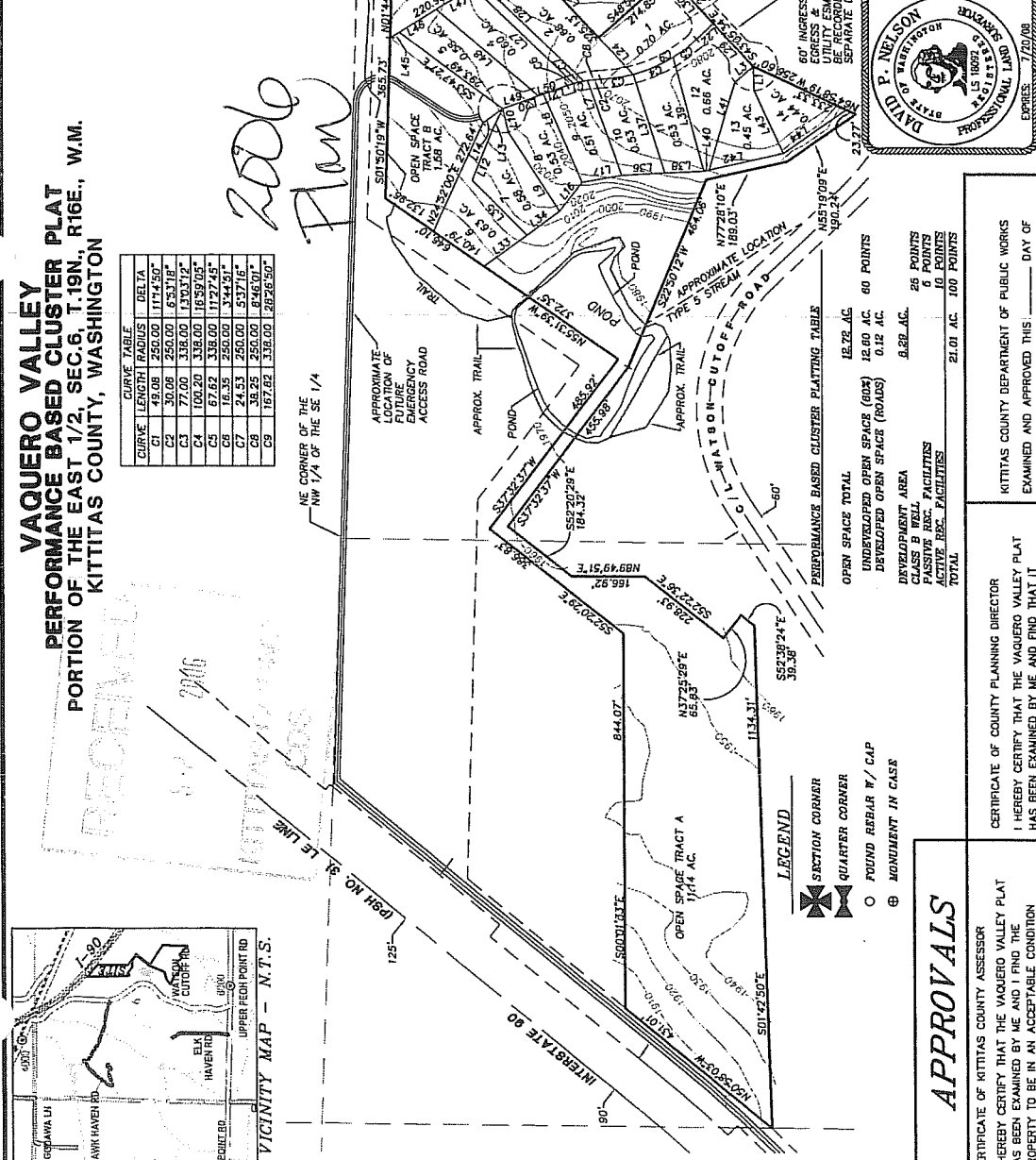
Deidre Link
560 Hawk Haven Rd.
Cle Elum, WA 98922

VAQUERO VALLEY PERFORMANCE BASED CLUSTER PLAT
PORTION OF THE EAST 1/2, SEC. 6, T.19N., R.16E., W.M.
KITITAS COUNTY, WASHINGTON

CURVE	LENGTH	RADIUS	DELTA
C1	49.08	250.00	1174.50°
C2	30.08	250.00	633.18°
C3	77.00	338.00	1203.12°
C4	100.20	338.00	1539.05°
C5	67.62	338.00	1127.45°
C6	16.35	250.00	374.51°
C7	24.53	250.00	537.16°
C8	38.25	250.00	846.07°
C9	167.82	338.00	2826.50°

VICINITY MAP - N.T.S.

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	55.00	N02°35'18"W	L29	133.39	S43°05'34"E
L2	55.00	M49°10'49"E	L30	149.07	S43°05'34"E
L3	229.65	S19°54'19"E	L31	121.61	N51°00'21"E
L4	219.56	S24°06'49"E	L32	92.68	N64°00'21"E
L5	214.85	M33°03'44"W	L33	176.79	N44°57'11"W
L6	55.00	N134°74'44"W	L34	98.41	S07°03'39"W
L7	176.79	N12°55'02"E	L35	210.80	N17°30'29"W
L8	165.00	M25°00'35"E	L36	68.80	N44°58'50"W
L9	55.00	N14°00'00"E	L37	268.27	N44°58'50"W
L10	84.88	S32°22'07"W	L38	12.07	N77°28'10"E
L11	92.01	S00°32'11"W	L39	208.60	N16°45'51"E
L12	90.14	S70°16'20"W	L40	173.60	N77°28'10"E
L13	57.97	S70°16'20"W	L41	173.60	N77°28'10"E
L14	32.41	S46°54'25"W	L42	157.38	S24°26'53"E
L15	209.63	S43°44'54"E	L43	21.64	N55°19'09"E
L16	115.50	S43°44'54"E	L44	100.09	N55°19'09"E
L17	318.10	M46°15'30"W	L45	304.76	N55°19'09"E
L18	266.91	S46°54'41"E	L46	304.76	M49°55'40"W
L19			L47		S20°16'20"W
L20			L48		S20°16'20"W



Encompass
 ENGINEERING & SURVEYING
 108 EAST 2ND STREET
 CLE ELUM, WA 98022
 PHONE: (509) 674-7433
 FAX: (509) 674-7419

VAQUERO VALLEY PERFORMANCE BASED CLUSTER PLAT
 PORTION OF THE E 1/2, SEC. 6, T.19N., R.16E., W.M.
 KITITAS COUNTY, WASHINGTON

DWN BY: **G. WEISER** DATE: **08/06**
 CHKD BY: **D. NELSON** SCALE: **1"=200'**

JOB NO. **05683**
 SHEET **1** OF **2**

RECORDER'S CERTIFICATE

Filed for record this _____ day of _____, 20____ at _____ M
 in book _____ of _____ at page _____ of _____ at the request of

 DAVID P. NELSON
 Surveyor's Name

County Auditor _____ Deputy County Auditor _____

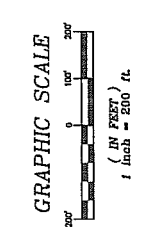
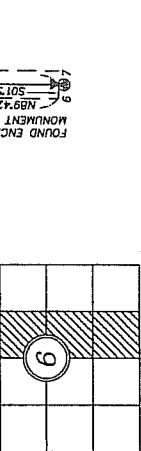
SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of _____
 DAVID P. NELSON
 SURVEYOR DATE
 Certificate No. 18092

RECEIVED

KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS
 EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 20____

DIRECTOR, DEPARTMENT OF PUBLIC WORKS _____



PERFORMANCE BASED CLUSTER PLATTING TABLE

OPEN SPACE TOTAL	12.72 AC.	60 POINTS
UNDEVELOPED OPEN SPACE (60%)	12.60 AC.	60 POINTS
DEVELOPED OPEN SPACE (40%)	0.12 AC.	60 POINTS
DEVELOPMENT AREA	8.82 AC.	25 POINTS
CLASS B WELL		6 POINTS
PASSIVE REC. FACILITIES		10 POINTS
ACTIVE REC. FACILITIES		10 POINTS
TOTAL	21.01 AC.	100 POINTS

CERTIFICATE OF COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE VAQUERO VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITITAS COUNTY PLANNING COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 20____

KITITAS COUNTY PLANNING DIRECTOR _____

CERTIFICATE OF COUNTY ASSESSOR

I HEREBY CERTIFY THAT THE VAQUERO VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THE PROPERTY TO BE IN AN ACCEPTABLE CONDITION FOR PLATTING. PARCEL NO. 19-16-06010-0021

DATED THIS _____ DAY OF _____ A.D., 20____

KITITAS COUNTY ASSESSOR _____

CERTIFICATE OF COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED. PARCEL NO. 19-16-06010-0021

DATED THIS _____ DAY OF _____ A.D., 20____

KITITAS COUNTY TREASURER _____

CERTIFICATE OF THE BOARD

KITITAS COUNTY BOARD OF COMMISSIONERS

EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 20____

BOARD OF COUNTY COMMISSIONERS
 KITITAS COUNTY, WASHINGTON

BY: CHAIRMAN _____
 ATTEST: _____ CLERK OF THE BOARD

APPROVALS

KITITAS COUNTY ASSESSOR _____

KITITAS COUNTY BOARD OF COMMISSIONERS _____

KITITAS COUNTY PLANNING DIRECTOR _____

KITITAS COUNTY TREASURER _____

KITITAS COUNTY HEALTH DEPARTMENT _____

KITITAS COUNTY HEALTH OFFICER _____

KITITAS COUNTY ASSESSOR _____

CLERK OF THE BOARD _____

NOTICE: THE APPROVAL OF THIS PLAT IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED.

RECEIVED

February 14, 2008

From: Bill and Kathy Hoffman
6301 Upper Peoh Point Road
Cle Elum, Wa. 98922

FEB 15 2008

KITTITAS COUNTY
CDS

To: Kittitas County Commissioners
Att: Staff Planner, Dan Valoff
411 N. Ruby Street
Ellensburg, WA 98926

We are strongly opposed to the cluster housing project called Dakota Heights Performance based Cluster Plat. 14 Lot Plat (File # P-07-53) as we are to any cluster housing project in a rural area. Rural areas need to be kept rural. This proposed cluster housing area is one of four that were back to back and previously proposed for this 88 acre piece of land, each with a separate LLC but all 4 sections being owned by 3 couples back in 2006. When it was taken to court, 3 of the 4 cluster projects were withdrawn.

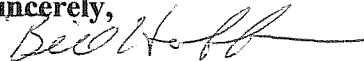
Our concerns are adequate water supply, sanitation issues with that many septic systems, wild life access as it is a common migration route for deer and elk and the obvious increase of traffic that this will bring. In time, I am sure there will be serious environmental consequences from this type of growth this quickly that will cost more money and time to try and fix later.

I am not against growth but I am against this type of development that will certainly continue to strain our natural resources and beauty that Peoh Point currently offers. I am not convinced that this is a well thought out, planned or researched situation as to if the area can support this type of rapid dense growth.

As the "small farm folks" that we are we realize we don't have the money or resources to fight this type of development by ourselves but only if we join other neighbors (as we did before) and continue to work with advocacy groups that are trying to promote realistic and reasonable planning for our county and prevent this type of growth in rural areas.

We were against it before and we are against it now.

Sincerely,



Bill Hoffman



Kathy Hoffman

V. Lund
6360 Upper Peoh Point Rd
Cle Elum, WA 98922

February 14, 2008
Kittitas County Development Services
Planning commission
Commissioners

RECEIVED

FEB 15 2008

Kittitas County
CDS

I am challenging the Dakota Heights Cluster Plat P-07-53, a proposed 14-lot cluster plat on approximately 21.03 acres of land that is zoned AG-3, located off Watson Cutoff Road and Upper Peoh Point Road.

On October 5, 2006, you approved the Pine View Estates Cluster Housing Development application from Jeff Potter, Tacoma, WA, which is adjacent to the Dakota Heights Cluster Plat p-03-53, located along Watson Cutoff Road and Upper Peoh Point Road, Cle Elum, **AGAINST** the recommendations of the Kittitas County Planning Commission and the Washington State Department of Ecology.

Should Dakota Heights Cluster Plat be approved, the entire hillside will be developed. Here is why Dakota Heights Cluster Plat threshold determination should be that of a Determination of Significance:

Dakota Heights is yet another example of unchecked development in upper Kittitas County, where there is inadequate information on water supply to support such sprawl. Citizens in the area have informed the county about problems with well, reduced flow and sediment in the water in the Upper Peoh/Watson Cutoff/Lower Peoh areas.

There are a multitude of reasons why development in upper county, and in this instance the Peoh Point area specifically, should be done with care and good planning.

Traffic: This is country. Folks ride horses along Upper Peoh Point road where the combined two developments will put more than 40 more vehicles onto the road at on the rise of a hill with less than good vision. Folks walk along this road daily, both children and adults ride horses along this road.

Yes, this is country, not rural to be developed as the County has so designated.

The combination of all the development along Upper and Lower Peoh Point roads, Mohar road and West Side road is already too much for the South Cle Elum Bridge. What kind of bottleneck will there be for traffic wending along that road through the business park that is slated between the South Cle Elum Bridge and the stoplight?

The access to these roads is limited. Should there be a road blocking problem anywhere between South Cle Elum and the Peoh Point area, the emergency services to Upper Peoh will have to be rerouted approximately 10 miles west to Golf Course Road or 10 miles east to the Elk Heights exit. Then travel slow curving and hilly county roads to get back to the Peoh Point area. Either way an emergency vehicle will have to travel 20 miles to reach and area 5 miles away. Not good

Impacts to the environment: Of course this is a big issue. Availability of water, conservation of the watershed, native wildlife and their habitat are of major concern. So, lets look at them.

Wildlife. As pointed out before, and I assume the planning and development department has provided all members of the planning commission with all historic documentation of development information regarding this property, the strip of woods that run from the ridges above to the river below is the LAST strip of woods in the Peoh Point Area that is available. This is easily observed using any computer satellite-viewing program.

The elk need this strip of woods as a bridge to move between winter and summer feeding areas. In addition, these woods are a nursery. Elk have been seen giving birth in this and the adjacent Pine View Estates Cluster development area, the road of which will also serve the Dakota Heights Cluster Plat.

According to the Dept of Wildlife, wells increase river water temperature by lowering the water table that normally cools the river from below. Rivers across the nation are dying. Development importance should not be prioritized above the environmental importance. Less important, but still a concern is the damage to the fly-fishing industry.

Water Issues: Beyond the issue of the lack of completed water availability study, which other concerned citizens are addressing, I want to question why this development is planned for upper county when Suncadia has moved their laundry facilities to the city of Cle Elum (Former Price Chopper Building.) because they have discovered their water needs have been seriously under estimated, so they need to use the city of Cle Elum's water?

Water run off. In order to recharge the water table systems, runoff must seep gradually through the soil. Asphalt roads and driveways, and rooftops prevent this. In addition storm drains capture water that nature intended to perk through the earth, and gushes it immediately down to the rivers. This not only greatly reduced water table recharge; it also affects the temperature of the rivers.

Water conservation mentality: Hot tubs, green lawns, frequently washed vehicles are all evidence of the water consuming mentality of people moving into the area from elsewhere. To my knowledge, nothing has been done to educate new residents on the importance of good water conservation practices.

Incoming children: Upper Kittitas County is being developed without facilities in place for the children. There is little for children to do. Where are the county parks? Where are the plans for them? Has adequate space been allotted for county parks? Riding horses has long been a traditional upper county activity that kids do. Certainly trails for horses are now being gated off or eliminated with NO Trespassing signs.

What about cemeteries? Has space been provided for cemeteries? Where is the planning? Is it all for businesses and none for residents?

Economic well-being: As has been stated before, Outdoors recreation is rated as the number 3 Gross National Product in the nation, providing more profit than stocks and bonds. More and more camping sites are gone, more and more snow mobile paths are eliminated. Why is Kittitas county destroying our outdoor recreational environment and reducing the potential for this type of income?

Quality of life: As I stated above, this is country. What do gated communities have to do with the very essence of country values? I cannot think of anything as diametrically opposite of country values than gated

communities. What, are newcomers afraid of us? Perhaps we should compare crime statistics between where they come from and our decades of low crime statistics. Or, maybe they want to keep us out, to be exclusive? No, fenced and gated communities are not in keeping with country values.

Again, I see rampant development without foresight. Kittitas County has already greatly exceeded the ability to house the predicted population to the year 2040. The county has time for thoughtful planning.

What is the function of the planning commission? Is it to approve all that comes across the desk or is it to actually plan for growth? What is the percent of applications for rezone or housing that have been denied for any reason in the past 5 years?

In an age when the environment and the very survival of the earth has come to the forefront of concern, when the newest buzzword is living green, the Kittitas County government should be checking into things like the Pioneers and other environmentally sound developments. But it seems to me that the Green Kittitas County thinks about is not centered around the environment, but around money for developers.

Has Kittitas county simply been a land bank all these years waiting to be tapped by the developers, who get the big bucks and the county residents pay the bills.

Documentation provided upon request, or enters any of the issues into your computer's search engine.

V. Lund