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April 7, 2010

Katie F. Cote
Land Use Planner
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, Washington 98926

RE: Yellowstone Trail Estates Plat (LP-09-00006) – Critical Areas Report Addendum
SWC Job#A9-155

Dear Katie,

This letter and attached revised Conceptual Mitigation Plan are in response to your February 19, 2010 letter to Gary Maughan regarding the Yellowstone Trail Estates plat.

Specifically, this addendum is in response to these two points from this letter;

- In response to Washington State Department of Ecology comments (see Cathy Reed 2/2/2010 letter), please submit a revised wetland mitigation plan map to reflect the new lot configuration and the reduced buffer impacts. Please also work with Ms. Reed to add more descriptive text to the wetland mitigation plan and submit a revised version; and

Attached is a new site plan and conceptual mitigation plan. The wetland impact has been reduced to 848sf due to the actual reduced road width through the right-of-way. This crossing will include appropriately sized culverts which will allow passage of water as well as small wildlife species such as rodents and amphibians through the road crossing. The proposed mitigation is at a 2:1 ratio and consists of wetland creation along the edge of the existing wetland. The area for the proposed creation is a gently rising upland lobe which will be excavated out to a similar elevation to the abutting wetland. Due to the small size of this area, the excavation elevations will be field determined and confirmed during construction by the biologist prior to any planting.

Access to the mitigation area will be from Lot #4. Prior to any clearing silt fences will be placed along the access route as well as at the edge of the existing wetland next to the

creation area. After silt fence placement, woody vegetation can be removed and disposed of outside the wetland and buffer. This area is primarily shrubs (willows) in the buffer and is sedges in the wetland. A protective mat, steel plates or similar materials will be used to minimize disturbance to the wetland during the temporary access needed for mitigation construction. This material will be temporarily placed on the surface of the wetland in order to support and to drive a small excavator such as a bobcat sized machine across to the creation area. The creation area will be excavated down to the required depth and backfilled to grade with topsoil stockpiled off the site including from the wetland fill area. The area will then be planted with a mix of native emergent and woody shrub species which could include species such as willow, red osier dogwood, California hellbore, as well as transplanted sedges from the existing wetland to maintain the same species composition as exist within the wetland today. Many of the native species within this wetland are not available from nurseries so transplanting select individuals may be the best method of establishing natives in this area. If transplanting is utilized, it will be under the supervision of the biologist.

The proposed mitigation would be monitored once a year with a report produced once a year for three years to determine success of the mitigation project. Following approval of this conceptual plan, a Final Mitigation Plan will be prepared for review and approval by the agencies.

- Per KCC 17A.04.030, please submit a narrative prepared by a wetland biologist describing why the particular site conditions warrant the application of wetland buffer averaging, as well as a description and justification for proposed wetland buffer widths;

KCC 17A.040.020 provides a range of buffer widths for wetlands. For Category 3 wetlands >10,000sf, the range given is 20'-80'.

KCC 17A.040.025 describes the wetland buffer ranges with the following;

The wetland buffer ranges have been established to reflect the impact of certain intense land uses on wetland function and values. The director shall base the buffer size on the following criteria and shall establish the least restrictive width of buffer necessary to account for all of the following considerations:

1. *The overall intensity of the proposed use;*
2. *The presence of threatened, endangered, or sensitive species;*
3. *The site's susceptibility to severe erosion;*
4. *The use of a buffer enhancement plan by the applicant which uses native vegetation or other measures which will enhance the functions and values of the wetland or buffer. (Ord. 94-22 (part), 1994).*

As a general rule in the past, Kittitas County has almost always applied the minimum buffer width to all residential projects. The Yellowstone Trail project given the size of the property, the general seasonal use of the lots, and the relatively low density would indicate the smaller buffer widths at the low end of the range can adequately protect the wetlands functions.

There is no observed or known threatened or endangered species on or near the site. Its close proximity to Interstate 90 reduces the chances of any sensitive species using the site. Again, this would indicate the lower end of the buffer range would be adequate.

The site is not known to be susceptible to severe erosion, again indicating the lower width of the buffer range would be adequate.

Although a buffer enhancement plan is not proposed, a 10' building setback in the rear of the lots as required in the Forest and Range Zone will be identified in the CC&R's as being left in native vegetation as an additional protection to the wetlands.

KCC 17A.04.030 states;

Wetland buffers may be modified by averaging buffer widths. Wetland buffer width averaging shall be allowed only where the applicant demonstrates that the following exists:

1. *That averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property;*
2. *That the wetland contains variations in sensitivity due to existing physical characteristics;*
3. *That the proposed use would be located adjacent to areas where buffer width is reduced, and that such land uses are low in impact;*
4. *That width averaging will not adversely impact wetland function and values. (Ord. 9422 (part), 1994).*

As can be seen from site map, the site contains numerous critical areas that not only block access, but also encompass the majority of the sites area. In order to access the site, and create a financially reasonable amount of lots on the site some buffer averaging needs to be employed. The current number of lots proposed is the minimum to make the project work given the infrastructure and overall costs of development of a difficult site such as this. The road location is the only one feasible to access the property and avoids the wetlands, steep slopes and streams as best possible. This access requires some averaging of buffers to compensate for the impacts.

These wetlands in the areas of reduced buffers will generally be protected even with the smaller buffer widths, as homes built in this area of Snoqualmie Pass generally have little yard area, and it is not usable or accessible most of the year. Most lots in this area of

Snoqualmie Pass are covered with snow from November-June of each year, and particularly in shaded areas where the snowpack remains longer, sometimes into July. Actual developed yard areas are generally kept at minimal sizes as traditional lawns and landscaping are not really feasible in this type of climate. It is also not generally feasible to store items in this area as the weight of snow destroys anything left out in the open.

It is not anticipated that typical impacts from fertilizers herbicides and substances such as these would be employed in this area. The landscaping that typically utilizes these products just is not feasible in this environment. Home owners association language can be prepared that would require only native plantings within the areas abutting the critical areas, as well as prohibiting use of fertilizers, weed killers and herbicides.

Disturbance of critical areas such as wetlands and streams in close proximity to homes in this area is typically minimal, due to use primarily in the snow season when these features are buried under snow. The close proximity of the lots in the reduced wetland and stream buffer areas does not have the same impact it would in a non-snow covered environment. Much less intrusion and impact typically occurs to these areas after construction than others outside of this unique residential environment.

Averaging along Lots 1-3 is in the rear of the lots and will most likely be left undisturbed as the homes will undoubtedly based upon topography and lot orientation, be placed north of these areas.

The averaging proposed on lots 4-7 is in an area where the buffer is a dense willow thicket which would generally not be easily accessible to enter or disturb the wetland.

The averaging on Lots 24 & 25 is in an area that slopes down to the wetland and will undoubtedly be left in a relatively undisturbed condition regardless of its placement within the Lot boundaries.

The large area of added buffer provides a large protected area that connects Coal Creek to these wetlands in a large continuous area.

The proposed buffer averaging should protect the existing functions and characteristics of these wetlands due to the realistically low impact use of these proposed lots, the unique character of the land and its long portion of the year under snow providing extra protection, and the dense, shrub dominated vegetation in this area creating a relatively impenetrable barrier to human intrusion.

Following approval of the Conceptual buffer averaging as well as wetland mitigation plan, a Final Detailed plan will be prepared for review and approval by the County. This Final Mitigation Plan will detail the plant species and locations, grading of the wetland creation area, as well as details of the monitoring and maintenance of the area.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or esewall@sewallwc.com .

Sincerely,
Sewall Wetland Consulting, Inc.

Ed Sewall
Senior Biologist PWS #212

Attached: Conceptual Mitigation Plan dated 3-16-22

CC: Wayne Nelson – Encompass Engineering