



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

February 20th, 2018

Alex Cordas
P.O. Box 24567
Seattle, WA
98124

RE: Swauk Valley Conservation Short Plat (LP-17-00007) - Request for Additional Information

Dear Applicant,

On January 23rd 2017, CDS staff issued a Notice of Application for the above-referenced Short Plat. The comment period ended on February 5th, 2018. Comment letters were transmitted to you on February 20th, 2018. Based on the comments received and staff review, the following is required in order for continued processing of the application:

1. Confirmation that the water connections referenced in the plat narrative are not new connections, and thus will not exceed the number of approved connections.
2. A revised plat drawing showing shoreline buffers and ordinary high water marks, critical areas buffers, and their locations in relation to the building envelopes as per the Kittitas County Shoreline Master Program 5.2(C)(3).
3. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use or, an adequate water right for the proposed new use; or certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank (Kittitas County Code (KCC) 13.35.027, 13.35.020).
4. Information on "proximate parcels" held in "common ownership" as those terms are defined in [WAC 173-539A-030](#) and otherwise demonstrate how the proposed new use will not violate [RCW 90.44.050](#) as currently existing or hereafter amended (KCC 13.35.027,13.35.020).
5. One soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with WAC 246.272A (KCC 16.12.030).

Pursuant to Kittitas County Code 15A.03.040.3 "A project permit application is complete for the purposes of this title when it meets the procedural submission requirements of Kittitas County and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude Kittitas County from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur." Once all the above listed information has been provided, your short plat application will continue to be processed.

Please contact me if you have any further questions.

Thank you,

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 4, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us

CC Via Email: Holly Erdman, Kittitas County Environmental Health

Enclosure:

Kittitas County Environmental Health Comment Letter- Holly Erdman, February 15th, 2018
Washington Department of Fish and Wildlife Comment Letter- Jennifer Nelson, December 12th, 2017
Washington Department of Ecology Comment Letter- Gwen Clear, February 5th, 2018
Washington State Department of Health Comment Email- Russel Mau, November 17th, 2017
Washington Department Ecology Instructions For Delineating Ordinary High Water Mark.



Subdivision PH Comments

To: Lindsey Ozbolt

From: Holly Erdman, Environmental Health Specialist II

Date: 02/15/2018

RE: Swauk Valley Ranch LP-17-00007

Thank you for the opportunity to comment on the above mentioned project regarding water requirements to comply with Kittitas County Public Health requirements. The following items must be addressed *prior to preliminary plat approval*: A copy of the Satellite Management Agency contract their Group B water system has signed. A water mitigation certificate for each proposed lot the developer will build on. Cluster Plats, Conservation and Agricultural Plats (KCC 16.09). Process for Approval KCC 16.09.080.

Specific Conditions related to this project include:

WATER

I have current water sampling records on file for this water system. If preliminary approval of this plat should take longer than a year from the latest bacteriological sample and three years from the latest nitrate sample then current water samples would be required prior to that approval.

All persons who are making applications for land use including, but not limited to, short plats must comply with KCC Chapter 13.35.027 per KCC Chapter 13.35.020 Adequate Water Supply Determination.

Chapter 13.35.027

1. All new uses of ground water shall require either:
 - 1) A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - 2) An adequate water right for the proposed new use; or
 - 3) A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. No new use to which this chapter is applicable shall be approved without one of these required submissions.
2. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in [WAC 173-539A-030](#) and otherwise demon-



strate how the proposed new use will not violate [RCW 90.44.050](#) as currently existing or hereafter amended.

3. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under [Title 18 KCC](#).

16.20.040 Plat drawing.

The plat drawing shall contain all the following requirements:

16. Well location. The drawings shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.

ON SITE SEWAGE

16.12.030 Existing conditions – Unless otherwise indicated, the following shall be shown on the preliminary and final drawings. (7) One soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with WAC 246.272A.

Since the type of soil and water source supplying the property can ultimately determine the minimum lot size, it is recommended that soil logs be conducted early in the plat planning process.

REQUIRED PLAT STATEMENTS

16.12.020 Preliminary Plats - Unless otherwise specified, information required below may be placed on either sheet one or subsequent sheets or on all sheets as necessary.

(9) **A statement** regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.

REQUIRED PLAT NOTES

1. **“Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.”** and
2. **“The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law” (settlement agreement)**



REQUIRED PLAT SIGNATURE BLOCK

16.24.210 Certificate of county health officer.

A note on any approved plat shall contain the following note:

I hereby certify that the plat has been examined and conforms with current Kittitas County Code [Chapter 13](#).

Dated this day of _____, A.D., 20____ .
Kittitas County Health Officer

(Ord. 2014-015, 2014; Ord. 2005-31, 2005)

Sincerely, Holly Erdman

Environmental Health Specialist II



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Ellensburg District Office • 201 N. Pearl St, Ellensburg, WA 98926
Telephone: (509) 962-3421 • Fax: (509) 575-2474

December 1, 2017

Dusty Pilkington
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926

RE: WDFW comments on LP-17-00007 Swauk Valley Ranch Long Plat Application

Dear Mr. Pilkington,

Thank you for the opportunity to comment on the proposed long plat (LP-17-00007 Swauk Valley Ranch). The Washington Department of Fish and Wildlife (WDFW) has some concerns with the proposed long plat that we've outlined below. As you're aware, Swauk Creek and its tributaries are important streams that produce ESA listed steelhead and are productive spawning and rearing areas for coho salmon and lamprey, and productive rearing habitat for Chinook salmon. Bull trout (ESA listed) have also been documented in lower Swauk Creek. The property owners have been proactive in implementing conservation and restoration actions on the property to enhance fish and wildlife habitat; we are hugely supportive of these efforts. The upland areas have excellent wildlife habitat for a number of priority habitats and species as well. Shrub steppe habitat, oak woodlands, and a robust riparian forest are all present on this property; adding to the species richness and diversity present. Protection of these fish and wildlife habitat values should be considered as the new lots are developed to ensure no loss of function to these critical areas.

The maps attached with this land use action do not seem to reflect the recent boundary line adjustment (BL-16-00012), making it difficult to determine where the new parcels will actually be as they seem to be north of the mapping shown. We have done our best to determine approximate new lot lines as they will pertain to fish and wildlife resources, but request updated mapping showing the proposed lot lines and their relation to critical areas, shorelines, channel migration zones, and priority habitats for a better analysis.

An unnamed tributary stream flows from the west toward Swauk Creek through the northern portions of the new lots; particularly lot 2. Both lots 2 and 4 may have portions within the Shoreline buffer of Swauk Creek and its channel migration zone. Please clearly show where the buildable areas will be within the new lots (including septic) prior to approval. Buildable areas should take into consideration the current critical area and shoreline buffers and setbacks, knowing that buffer widths may change in the future, and the buildable areas could change as

well. Protecting the shoreline and stream from additional encroachment and habitat damage is one of our primary concerns.

We strongly urge a revised site plan that shows the buffer and setbacks areas associated with all of the critical areas and Shoreline of Swauk Creek in order to evaluate future buildable areas prior to approval of this short plat. We'd also like to see a wetland delineation and critical areas report to ensure there are no other critical areas within the proposed short plat that would be impacted by future development, including the installation of septic systems and potential impacts on water quality.

Thank you for the opportunity to comment and I look forward to working with you on this project. Please feel free to contact me at (509) 962-3421 or Jennifer.nelson@dfw.wa.gov if you have any questions about these comments.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Nelson". The signature is written in black ink and is positioned above the typed name and title.

Jennifer Nelson
Area Habitat Biologist



The yellow lot lines are approximate boundaries of the proposed lots and the red ovals are the approximate building envelopes as proposed.

The unnamed, fish bearing tributary to Swauk Creek is not identified in the survey. This aerial photo with the stream layers is taken from the County's Assessor's site and the location of the streams is slightly inaccurate. The tributary probably actually flows closer to the northern boundary of lots 2 and 3. The critical areas and their buffers should be field verified and recorded on the survey prior to approval of the short plat and building envelopes.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 5, 2018

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

Re: LP-17-00007

Dear Mr. Pilkington:

Thank you for the opportunity to comment on the divide of approximately 151 acres into 3 lots, proposed by Swauk Valley Ranch. We have reviewed the application and have the following comments.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

Per Kittitas County's Shoreline Master Program (SMP), Swauk Creek has a Rural Conservancy designation within the parcel boundaries, and therefore requires a 100 foot vegetated buffer beginning at the ordinary high water mark (OHWM) of the stream and extending 100 feet landward. Work conducted within 200 feet of the OHWM, including vegetation removal and grading, will require a shoreline permit.

Vegetation shifts and hydrologic signatures, most notably within the canyon, suggest riverine wetlands are likely present surrounding Swauk Creek. Per Section 5.2.C.3 of the County's SMP, applicant's proposing new land-uses or development within the shoreline need to provide the following critical area information: presence, location, condition, and vegetated buffer which could be affected by their proposal. The Department of Ecology (Ecology) recommends a formal wetland delineation and rating be performed prior to any construction, as this could impact the amount of buildable area available.

In addition to any required vegetative buffers, structures are to be setback an additional 15 feet from the edges critical area buffers (or critical area edges if buffer is not required).

Ecology recommends using a qualified professional to conduct a formal wetland delineation, wetland rating, OHWM determination, and to estimate any required vegetative buffer boundaries prior to any development.



Mr. Pilkington
February 5, 2018
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Please submit a wetland delineation report, wetland rating forms, and associated materials to the Department of Ecology for review and comment prior to construction activities. In the event wetland or wetland buffer habitats occur in the area and impacts cannot be avoided a mitigation plan must be submitted for review.

In order to minimize construction impacts on wetlands, Best Management Practices (BMPs) for sediment and erosion control should be implemented. This should include functional silt fences, and immediate revegetation and mulching.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Lori White** at (509) 575-2616 or email at lori.white@ecy.wa.gov.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

From: [Mau, Russell E. \(DOH\)](#)
To: [Dusty Pilkington](#)
Cc: [Holly Duncan](#); [Smits, Brenda M \(DOH\)](#)
Subject: RE: LP-17-00007 Swauk Valley Ranch
Date: Friday, November 17, 2017 9:49:17 AM

Mr. Pilkington:

The application states that water “to be provided from the existing class b [sic] well, system id: AC733E”. DOH concurs that any subdividing of the property would remain classified as a single “project” (in terms of drinking water), and all parcels do need to be served by a single water system. In this particular case, the cited water system (“Swauk Valley Ranch” with the ID number as noted: AC733) does have sufficient approved capacity to serve these new parcels:

- Existing Active (“active” = constructed structures connected to the water system) Connections = 2
- Approved Connections = 9

So, seven (7) additional structures can be constructed/connected to the approved water system, while still remaining within the capacity of the approved water system.

DOH does want to know if the creation of the four (4) lots are part of the 9 approved connections or are they in addition to the 9 approved connections. If they are “in addition”, then the currently reviewed and approved water system would not have sufficient capacity to serve all potential connections.

Thanks,

Russell E. Mau, PhD, PE
Regional Engineer
Department of Health, Office of Drinking Water
16201 East Indiana Avenue, Suite 1500, Spokane Valley, WA 99216
Desk: 509-329-2116
Fax: 509-329-2104
Russell.Mau@DOH.WA.GOV

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Visit our web site at www.doh.wa.gov/ehp/dw

From: Dusty Pilkington [mailto:dusty.pilkington@co.kittitas.wa.us]

Sent: Thursday, November 16, 2017 9:45 AM

To: Josh Hink <josh.hink@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Lisa Iammarino <lisa.iammarino@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Johnson <patti.johnson@co.kittitas.wa.us>; Kelly Bacon <kelly.bacon@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; 'jessica@yakama.com' <jessica@yakama.com>; 'jmarvin@yakama.com' <jmarvin@yakama.com>; 'johnson@yakama.com' <johnson@yakama.com>; 'enviroreview@yakama.com'

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Subject: LP-17-00007 Swauk Valley Ranch

Greetings. I am requesting comments on this Long Plat Application. Anyone with an interest can comment, and the comment period ends 12/01/2017. Click the links below to view information on the permit.

[LP-17-00007 Swauk Valley Ranch \(County Departments\)](#)

[LP-17-00007 Swauk Valley Ranch \(Outside County Network\)](#)

Thank you,

Dusty Pilkington
Planner I
Kittitas County Community Development Services
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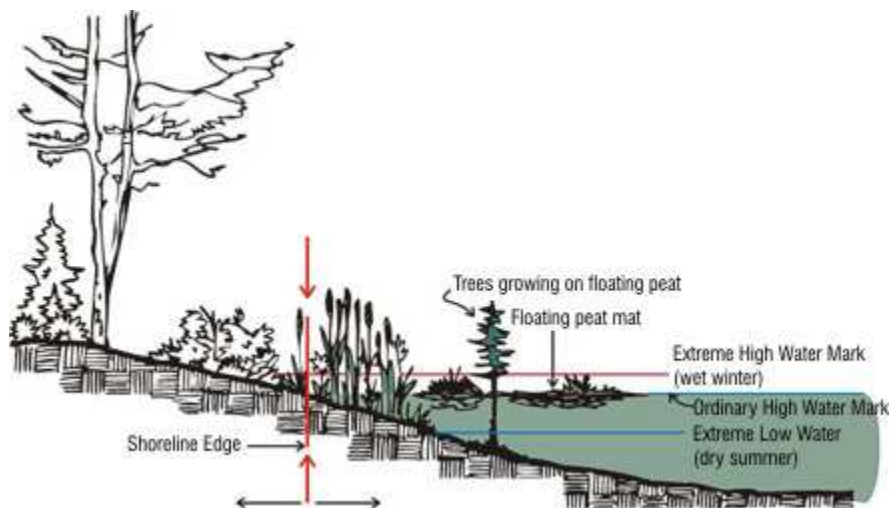
Ordinary high water mark

The ordinary high water mark (OHWM) as defined in the Shoreline Management Act (SMA) is a biological vegetation mark. Ecology's rules include a default tidal or fresh water elevation line for locations where the OHWM cannot be found.

Definition

The OHWM is defined as:

- "that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or at it may change thereafter in accordance with permits issued by a local government or the Department of Ecology:
- Provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water."



The position of the OHWM in relation to extreme high and extreme low water varies from site to site.

At any given site, the OHWM will vary over time and according to factors that include wind, waves, erosion, accretion, soils, substrates, vegetation, land use changes, runoff, groundwater, the presence of peat, the constancy of pool elevations, and the activities of beavers and other organisms.

For more information

Law: [RCW 90.58.030\(2\)\(b\)](#) (*Definitions*)

Rule: [WAC 173-22-030\(11\)](#)

[Determining the Ordinary High Water Mark on Streams in Washington State - DRAFT](#) (Ecology Publication #08-06-001)

For assistance with ordinary high water mark determinations, contact [Ecology's regional planner](#) assigned to your town, city or county.

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