

DATE	COMMENTS	ISSUES	APPLICANTS RESPONSE
11/14/2023	WSDOT Aviation Land Use	WSDOT has no comments	OK
11/14/2023	KC PUD	KC PUD has facilities on site and serves the existing campground. Applicant should contact PUD for any alterations to power supplied or new services desired.	Agreed
11/15/2023	WA ST Dept. of Health	Proposal on the same site as an approved Group B (ODW ID #015439). The applicant will need to work with WSDOH to return to Group A status to serve the updated facility.	Agreed
11/15/2023	Colville Tribe	Recommend a arch. survey of areas containing ground disturbing activities (septic, etc.)	The applicant conducted a archaeological site reivew in 2007 and recommends the following condition; Should ground disturbing or other activities related to grading and cleating result in the inadvertent discover of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the WA ST DAHP.
		Previously surveyed in 2007. This is outside of the 10yr year minimum for cultural resource reporting and a secondary arch investigations would be prudent and should consider the southern extent of the Yakima River.	The applicant conducted a archaeological site reivew in 2007 and recommends the following condition ; Should ground disturbing or other activities related to grading and cleating result in the inadvertent discover of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the WA ST DAHP.
11/16/2023	WA ST DNR	Based on remote review, it appears to be forested and it will require a forest practices application (FPA) if merchantable timber is removed/harvest and or forest roads are constructed as part of the proposal.	The proposed site will not require a forest practice application as it does not proposed to harvest any merchantable timber or trigger more the 5,000 mbf.
11/28/2023	WSDOT So Central Region	The subject property has an existing permitted approached. This approach may continue but must be updated for the proposed use. Contact WSDOT.	Agreed
		Any outdoor advertising or motorist signing considered for this project will need to comply with state criteria. Contact WSDOT.	Agreed

11/29/2023	Dept. of Ecology	Project is within the boundaries of WAC 173-539A so it may be subject to the rule. If planning on withdrawing water for a new use within the boundaries of WAC 173-539A, your project must be water budget neutral. Please submit a Request of Determination of Water Budget Neutrality or application for a new water right permit, depending upon the size of your project.	Agreed. The applicant has senior water rights along with an established water bank (Reecer Creek Water Bank) that can be applied to this proposal.
11/30/2023	KC Dept. of Public Works	Access items 1 thru 4	The project access is permitted through WSDOT and currently has an existing WSDOT access permit and will be required to upgrade the access permit if project is approved, therefore Access items 1 thru 4 do not apply
		Access item 5	Agreed. The project access is permitted through WSDOT and currently has an existing WSDOT access permit and will be required to upgrade the access permit if project is approved.
		Access Item 6	Road Design on site will abide by KC Dept of Public Works.
		Engineering, Grading Permit is required	Agreed.
		Survey, no survey comments	OK
		Transportation Concurrency Application is required.	Transportation Concurrency and TIA has been completed under the existing conditional use project and will be adopted by reference satisfying this requirement.
		Flood: Recommends additional information be provided to better understand the development proposal and potential flood related risks.	CMZ report provides a complete review of the subject property, whether it's for a reasonable use proposal such as this or a possible subdivision. The CMZ report takes into consideration the flood related risks by projecting out the 50 to 100 year channel migration zone
		the proposed approached, reducing the overall footprint and consolidating the site to the northern area is prudent.	The proposal within the application is reducing the proposal by removing numerous sites to further protect natural areas.
		It would be helpful to see the proposed elements of the plan in relation to the predicted flood depths and extent, and side channel habitat and to better understand what vegetation will need to be removed to develop the site.	The applicant has gone above and beyond what has been requested over the years and currently with the last request of submitting an updated Critical Areas report and to conduct a Channel Migration Zone analysis. The current site for this proposal is within the 100 yr. flood plain, where development is allowed, is located where existing infrastructure is already located at, and is outside of the identified wetlands and their associated buffers.
		Flood control zone district has data depicting flood depth and extends for both the 10 percent and 1 percent annual chance flood events. That data is available upon request.	OK
		Site development will require a floodplain permit per KCC 14.08	Agreed.

11/30/2023	DAHP		
		Recommend a professional arch. Survey of the area be conducted prior to ground disturbing activities.	The applicant conducted a archaeological site reivew in 2007 and recommends the following condition; Should ground disturbing or other activities related to grading and cleating result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the WA ST DAHP.
		Recommend any historic bldgs. or structures (45 years in age or older) located within the project area evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms.	As part of the initial 2007 study there were no historical structures identified.
11/30/2023	WA ST Dept of Fish and Wildlife	No updated site plan showing the decrease in development.	A site plan was submitted. As per the proposal the applicant has reviewed the site and previous and current comments all pertaining to the same issues and has proposed general reductions. As part of this response an updated site plan has been provided reflecting reductions etc. to the site for staff's consideration.
		Updated Critical Areas Report does not reflect the pond breach from adjacent neighbors land.	Pond is on neighbors property and we have not right to access that pond.
		Update CA show the separated wetlands since the culvert has been removed. DFW requests further review of any wetland identification or classification give the water crossing structure is no longer present and the pond is breached.	Removal of culvert issues. The culvert that was removed, was an existing culvert under an existing access road. This means on both side of the culvert contained the access road. Please note there has been discussion with WDFW , in the past, regarding replacing that culvert which would require an HPA.
		It is possible this review may result in this area being a single wetland within Shoreline jurisdiction.	As part of the critical areas report wetlands were identified on both sides of the culvert. This stream initially traveled through the culvert, which also contained a diversion mechanism. The existing road, which will be replaced pursuant to an existing access, also is identified as an interrupted buffered pursuant to the Kittitas County Critical Areas Code.

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	<p>The CMZ report identifies more rapid migration near the western portion of the property and the properties immediately upstream of the subject parcel but does not assess the potential for an avulsion on the WDFW property that could travel through the adjacent neighbors property and onto the western portion of the property.</p>	<p>The CMZ report takes in all factors including the WDFW lands. The CMZ report completed a geomorphic study and CMZ evaluation to delineate channel migration risks at the stie. The area evaluated included the reach area between river mile (RM) 176 upstream to RM 180. See figure 2 of the report. RM 180 location is actually located at the pond that is just east of the I-90 exit to Cle Elum and Wenatchee. This stretch takes in all property, including WDFW lands all the way east of the project site just past where the Teanaway River enters the Yakima River. See Figure 2 of the report. More importantly this CMZ report is the main reason for the Reasonable Use. The CMZ zone actually extends across the railroad and old hwy 10, encompassing the complete subject property therefore hindering any use allowed. By hindering the property from any possibility of use established a taking's issue by not allowing the landowner to do anything with the property etc.</p>
	<p>If the northwestern portion of the property is poposed for development in the new site plan, we request further evaluation of the potential for avulsion and/or flood risks through this area.</p>	<p>See the above comment regarding the CMZ report and Figure 2. Furthermore the CMZ report includes all of the subject property under consideration. The applicant has spent in excess of 50,000 dollars over the years specific to critical areas reporsts (numerous) and the current CMZ report. We believe this may be just another delay tactic used to not allows the landonwer not to pursue any type of use on the subject property therefore establishing an possible taking's issue.</p>
	<p>Without an updated site plan and based on the updated CA and CMZ summary WDFW believe the image presented in 2016 commens for the Yakima River Campground represents the area most suitable for a Reasonable Use Exception on this property and meets the intent of KCC 17A01.060(2).</p>	<p>A site plan was submitted. As per the proposal the applicant has reviewed the site pland along with the hitorical and current comments all pertaining to the same issues and has proposed general reductions. As part of this response an updated site plan has been provided reflecting reductions etc. to the site for staff's consideration.</p>
KC Dept. of Health	<p>There is an existing approved water system on site and in compliance and remains active with WA ST DOH, as a Group A Transient , non community water system.</p>	<p>Agreed</p>
	<p>Applicant must evaluate existing drain fields on the parcels as well as reach out to a license septic designer to ensure future uses of the project will be adequately served by on site septic system.</p>	<p>Agreed</p>

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<p>KC Building Dept.</p>	<p>Renovations to structures onsite (Caretakers residence & Kitchen facility) may require a building permit along with structural engineering.</p>	<p>Agreed.</p>
	<p>Existing cabins and foundations sitting unprotected and would require an engineer to assess the condition of each foundation etc. and whether or not the building is designed to the current building code standards.</p>	<p>Existing cabins and existing foundations will be replaced with rv sites, therefore removing additional building code requirements for these items.</p>
	<p>If foundations are found adequate to be built upon, the building plans would need to be designed and sealed by a licensed engineer or architect.</p>	<p>Existing cabins and existing foundations will be replaced with rv sites, therefore removing additional building code requirements for these items.</p>
	<p>Each separate structure will require a separate bldg permit</p>	<p>Existing cabins and existing foundations will be replaced with rv sites, therefore removing additional building code requirements for these items.</p>
	<p>WA St. commercial energy code compliance documentation is required for conditioned structures.</p>	<p>Agreed.</p>
	<p>Accessibility Per ANSI A-117: Sho all Accessible features for rooms, counter areas, seating areas, where accessibility is required.</p>	<p>Agreed.</p>
	<p>Restrooms shall meet Accessibility.</p>	<p>Agreed.</p>
	<p>Accessible parking required provided with hard surface such as asphalt or concrete.</p>	<p>Agreed.</p>
	<p>Parking symbol and signage of Accessibility is required.</p>	<p>Agreed.</p>
	<p>Verify there is no more than 1:20 degree slop for the accessible path and state the maximum allowed slope o the drawings.</p>	<p>Agreed.</p>
	<p>Provide passing spaces at 200 foot intervals or less.</p>	<p>Passing spaces will be provided pursuant to an approved rv campground traffic circulation</p>
	<p>This is not a complete list of reivew items and additional review questions/issues will arise that may still need to be reviewed.</p>	<p>OK</p>

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Dept. of Ecology	The Kittitas County SMP prohibits non-water oriented commercial development and use within the Rural Conservancy Shoreline Environment.	See the following consistencies within the SMP that supports this recreational proposal. You will also note in the responses below that we have addressed the definitions, numerous polices and regulations that pertain to this proposal even so far as looking at the commercial development section of the SMP, which doesn't apply due to the property not being a commercial zoned parcel, all of which are consistent and supportive of this recreational use.
		The following are numerous purposes of the rural conservancy environment,, which is to protect ecological functions, natural resources, and valuable historic and cultural areas in order to provide for sustained resource use, natural flood plain processes, and recreational opportunities. this proposal and mitigations of removing certain aspects of the campground only prove to be consistent with purpose of the Rural Conservancy environment designation which applies to this site.
		This proposal is consistent with the following Rural Conservancy designation policies:
		1.Limit permanent uses in the rural conservancy environment to those that sustain the shoreline area's physical and biological resources. Examples of appropriate uses include, but are not limited to: low impact outdoor recreation uses, agricultural uses, aquaculture, low intensity residential development, and other natural resource based low intensity uses. As part of this proposal the applicant has limited the permanent uses by using the existing infrastructure on site and by removing proposed uses in order to sustain the physical and biological resources. This proposal is a low intensity use as a RV Campground does not allow for the permanent stay for RV etc. and is a transient use.
		2.Restrict temporary uses to those that do not substantially degrade ecological functions or the rural or natural character of the shoreline area. This proposal has reduced it's proposal therefore protecting the and not degrading the ecological function or rural character of the shoreline area. Furthermore by designating the rv site in the existing area of where the former landowner provided infrastructure, existing rv sites, and use of those items only further supports any possibility of degrading the ecological functions of the site.

		<p>3. Prohibit commercial and industrial uses, except:</p> <p>b. Low intensity, water-oriented commercial and industrial uses in the limited instances where those uses have located in the past or at unique sites in rural communities that possess shoreline conditions and services to support the use or development. This proposal is a low intensity use as a RV Campground does not allow for the permanent stay for RV etc. and is a transient use. More importantly, the proposed uses area uses that were existing uses and allowed under a previous condition use permit as an already unique site. This is a recreational use not a commercially zoned/designated piece of land under Kittitas County Code.</p>
		<p>4. Encourage water-dependent and water-enjoyment recreation such as boating facilities, angling, hunting, wildlife viewing trails, and swimming beaches as preferred uses, provided significant adverse impacts to the shoreline are mitigated and the uses and development do not deplete the resource over time. Under the Recreational element in the SMP this proposal meets the following objectives:</p>
		<p>This proposal provides recreational opportunities and space for diverse forms of water oriented recreational uses by providing a location for an RV campground where users can have public access to the Yakima river for recreational uses such as fishing, walking trails, and river access enjoyment.</p>
		<p>1. Prioritize water-oriented shoreline recreational development that is primarily related to access, enjoyment, and use of the water and shorelines of the state</p>
		<p>2. Locate, design, develop, manage, and maintain recreational areas in a manner that protects shoreline ecological functions and processes</p>
		<p>3. Recognize and protect the public interest by providing increased recreational opportunities within shorelines of statewide significance</p>
		<p>4. Provide diverse choices of regional water-oriented public recreational opportunities</p>
		<p>5. Consider measures necessary to establish a high level of compatibility with other uses and activities and avoid negative impacts to the shoreline environment when locating, designing and operating recreational developments"</p>
		<p>6. Encourage private investment in water-oriented recreational facilities that are open to the public</p>
		<p>8. Encourage development of non-motorized multi-use trails that provide recreation and transportation opportunities where compatible with shoreline ecological functions</p>
		<p>The Applicant has proposed a recreational use development. See the following Recreational Policies that support this proposal;</p>
		<p>1. Recreational development includes both <u>commercial</u> and public recreational developments</p>

		2.Recreational development should be given priority for shoreline location to the extent that the use facilitates the public's ability to access (visual and physical), enjoy, and use the water and shoreline in accordance with Section 5.4 Public access
		3.Recreational uses and development should provide for the preservation and enhancement of scenic views and vistas
		4.Ensure that recreational facilities do not interfere with the use and enjoyment of adjacent properties by providing buffering when necessary between the recreation development and adjacent private property
		5.Recreational uses and facilities should be designed and located to ensure no net loss of critical areas and shoreline ecological functions
		7.Where consistent with the provisions of this Program, shoreline use and development should specifically support opportunities to increase or enhance the following forms of recreation: boating, fishing, camping, hiking, bicycle riding, swimming, and picnicking
		8.Commercial recreational facilities should be consistent with the provisions of Section 6.6 Commercial development
		9.Components of an approved recreational use or development that are water dependent or water-related may be allowed within the shoreline buffer provided that the amount of buffer encroachment and disturbance are the minimum needed to accommodate the water-dependent or water-related component and provided further that the use/development: a.Is located in pre-existing disturbed areas with low habitat value or within the active use area; b.Will not impact a geologically hazardous area; c.Uses low impact development techniques to minimize adverse effects on water quality and habitat; and d.Complies with all other requirements of the Program
		10.The Administrator shall determine whether and how much water-dependent or water-related recreational development to allow in the buffer on a case-by-case basis by considering all of the following factors: a.The type and intensity of the proposed recreational use; b.The size and configuration of the parcel and the ability to locate structures and other facilities outside the buffer without significantly diminishing the recreational experience; c.The amount of native vegetation that would be cleared/removed; d.The sensitivity of the aquatic habitat to the disturbances caused by the proposed use; and e.The ability of the proponent to offset unavoidable impacts through compensatory mitigation on-site or at an appropriate off-site location

		As For Recreational Regulations:
		1.Recreational development is a priority use of the shoreline. Preference shall be given to water-dependent uses such as fishing, swimming, and boating. Water related and water-enjoyment uses such as picnicking, hiking, and walking are permitted provided they do not displace water-dependent uses and are consistent with the specific shoreline environment. Non-water-related recreation facilities and/or support facilities such as parking lots shall be located in upland areas
		3.Commercial and public recreation areas or facilities on the shoreline shall provide physical or visual public access consistent with Section 5.4, Public access
		5.Recreational uses and facilities shall be designed and located to ensure no net loss of critical areas and shoreline ecological functions
		1.Limit commercial development to those activities that are particularly dependent upon a shoreline location
		2.Give first preference to water-dependent commercial uses over non-water dependent commercial uses; and give second preference to water-related and water-enjoyment commercial uses over non-water-oriented commercial uses. Allow non-water-oriented commercial uses in limited situations
		2.Non-water-oriented commercial uses are prohibited in the shoreline unless the use provides significant public benefit with respect to the objective of the Act such as providing public access and ecological restoration, and the commercial use is: a. Part of a mixed use project that includes a water-dependent use; or b. Proposed on a site where navigability is severely limited
		General Comments regarding this recreational use proposal:
		A Water-dependent use means a use or portion of a use which cannot exist in a location that is not adjacent to the water and which is dependent on the water by reason of the intrinsic nature of its operations. This proposal is located adjacent to the Yakima River, which is a highly used public river for fishing, observations and just the overall enjoyment that people are looking for within Kittitas County. This recreation proposal of an rv campground is a needed use and is highly dependent upon the access to the Yakima River for its numerous qualities it provides to people.

		<p>Water-enjoyment use means a recreational use or other use that facilitates public access to the shoreline as a primary characteristic of the use; or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through location, design, and operation ensures the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment. This proposal meets the intent of this definition therefore being consistent with the SMP.</p>
		<p>Water-oriented use" means a use that is water-dependent, water-related, or water-enjoyment, or a combination of such uses. This proposal meets the intent of this definition therefore being consistent with the SMP.</p>