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April 18, 2017

Attention: Dan Carlson
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2

**Subject: Kittitas County Public Works West Taneum Road Bank Stabilization Project
Request for SEPA, Critical Areas, and Shoreline Permit Exemptions**

Dear Dan:

The intent of this letter is to request exemption status for SEPA, Critical Areas Ordinances, and Shoreline Development Permits for reconstruction of the roadway embankment due to erosion from Taneum Creek. Documentation and justification for these exemptions are provided herein and in the enclosed information. A NEPA Categorical Exclusion Documentation Form (CE Form), as used by the Washington State Department of Transportation and Federal Highway Administration, is enclosed for your reference. The CE form provides documentation of project effects on environmental resources.

Project Description

Kittitas County Public Works needs to repair an actively eroding bank on Taneum Creek that has caused on-going loss of the traveled surface of West Taneum Road. The original roadway embankment was composed of a rock revetment that has been impacted by stream erosion. The bank repair project is located on West Taneum Road, just west of Interstate 90. The project will reconstruct the eroded creek bank, prevent further erosion and roadway loss, and increase aquatic and riparian habitat by the placement of rock, large Woody Debris (LWD), and revegetation. The design incorporates flow deflection structures combined with a wood-studded rock revetment to reconstruct the road embankment, provide long-term protection of the roadway, increase channel complexity, and arrest further up- and downstream erosion. The revetment and suitable bank area will be planted with native riparian vegetation to replace lost riparian function and long-term roadway protection.

The design of the bank stabilization project utilizes bio-engineered principles that are consistent with WDFW Integrated Streambank Protection Guidelines. In addition, the incorporation of LWD and planting of riparian vegetation has been used on similar projects in the area, and when integrated as part of the design are considered self-mitigating project elements by the US Fish and Wildlife Service, National Marine Fisheries Service, and Washington Department of Fish and Wildlife.

SEPA

Washington Administrative Code (WAC) 197-11-800 defines categorical exemptions from threshold determinations for proposed actions.

WAC 197-11-800(3) Repair, remodeling, and maintenance activities, states: *The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or*



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public structures, facilities or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt.

The project meets the intent of this exemption as the roadway embankment and roadway will be reconstructed to an as-built condition that existed prior to erosion occurring, with no changes in use to the previously existing condition. In addition, a minor amount (approximately 500 square feet) of habitat enhancement and energy dissipation elements have been incorporated into the design to improve aquatic and riparian habitat by providing channel roughness, incorporating large wood structures, increasing channel complexity, and restoring riparian vegetation (see enclosed project plans). This habitat bio-engineering element of the project provides long-term protection of the roadway and is a beneficial enhancement to the stream.

Shoreline Development Permit

WAC 173-27-040(2)(b) and Kittitas County Code (KCC) 17B.07.030(2)(b) define actions which are exempt from substantial development permits under the Shoreline Management Act.

These codes state: The following developments shall not require substantial development permits: Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.

The proposed project is required due to damage by flood events and continued erosion from Taneum Creek on Taneum Creek Road. The project will re-construct the roadway and embankment to an as-built, original condition that existed prior to erosion occurring, with no changes in use. In addition, the bio-engineered rock and wood structures are proposed to beneficially affect the shoreline area by providing channel roughness, increasing channel complexity and aquatic habitat, and restoring riparian vegetation (see enclosed project plans). These effects are beneficial in nature, are a standard approach in reconstruction of the stream revetments, and are not considered an adverse effect.

Critical Areas Ordinance

Revised Code of Washington (RCW) 36.70A.170 and 36.70A.060, and KCC Chapter 17A define the management of Critical Areas.

KCC 17A.03.020(5) states activities are exempt when: *Reconstruction as a result of destruction by a natural disaster or disintegration over time, maintenance, or remodeling of structures, provided that such reconstruction, maintenance, or remodeling does not involve an expansion of the structure's footprint*



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when located within a critical area. Any such activity shall nevertheless comply with the county's flood damage prevention ordinance, No. 93-18.

KCC 17A.03.020(3) also states activities are exempt when: *Activities involving artificially created habitat, including but not limited to grass-lined swales, irrigation systems and drainage ditches, farm ponds, detention facilities such as ponds, and landscape features, including any adjacent riparian habitat created or resulting from these activities, except for wetlands or habitat areas created as mitigation.*

The proposed project meets these exemptions due to the reconstruction of the lost roadway embankment within the original footprint. Also, the bio-engineered rock and wood structures are proposed to create habitat and beneficially affect the shoreline area by providing channel roughness, increasing channel complexity and aquatic habitat, and restoring riparian vegetation (see enclosed project plans). The project does not impact wetlands, replaces lost riparian habitat as defined in KCC 17A.07.010, and will result in no impact to frequently flooded areas as determined by hydraulic analysis by a licensed hydraulic engineer (on file with Kittitas County Public Works).

Therefore, with this submittal Jacobs, as an agent for Kittitas County Public Works, is requesting exemptions from SEPA, Shoreline Development Permits, and Growth Management Act Critical Areas Ordinance permits for the proposed project. Please let me know of any questions, or if you require any additional information.

Sincerely,

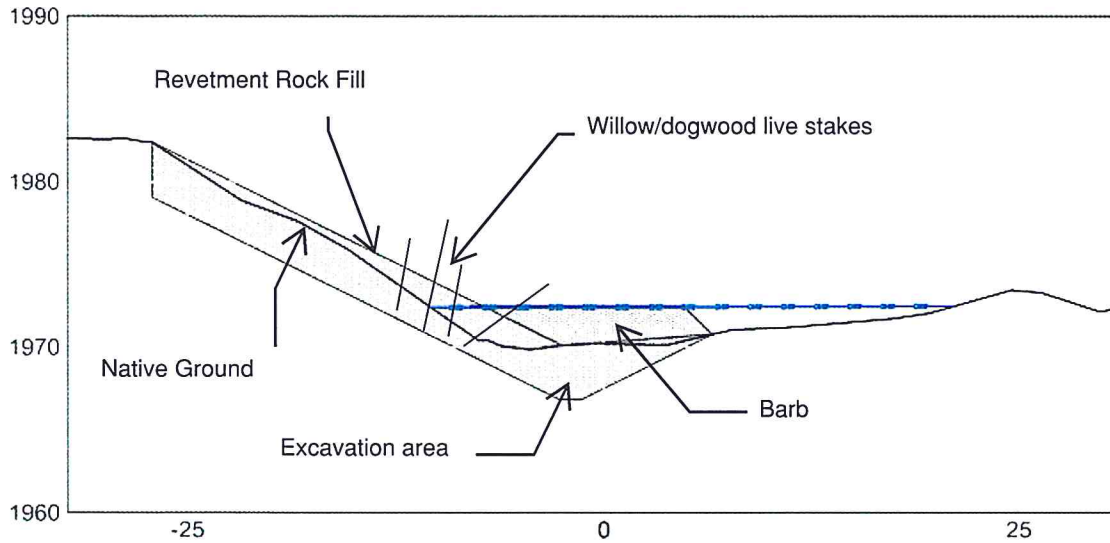
Craig Broadhead
Eastern WA Environmental Practice Lead
Jacobs Engineering Group

Encl: NEPA CE Determination Form
Project Plans and Photographs

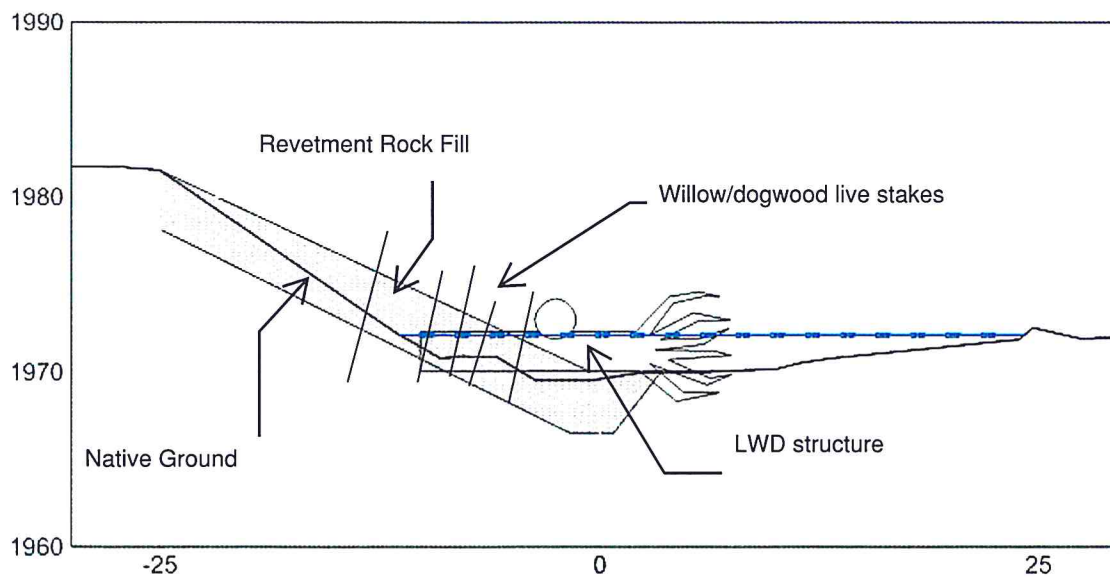
Cc w/encl: Lucas Huck, Kittitas County Engineer
Mark Cook, Kittitas County Director of Public Works

Reference #
Applicant: Kittitas County
Proposed Project: Taneum Creek Bank
Stabilization Project
Location: 47.086500/-120.766427
Sheet 3 of 4
Date: 4/14/17

SECTION 1-1

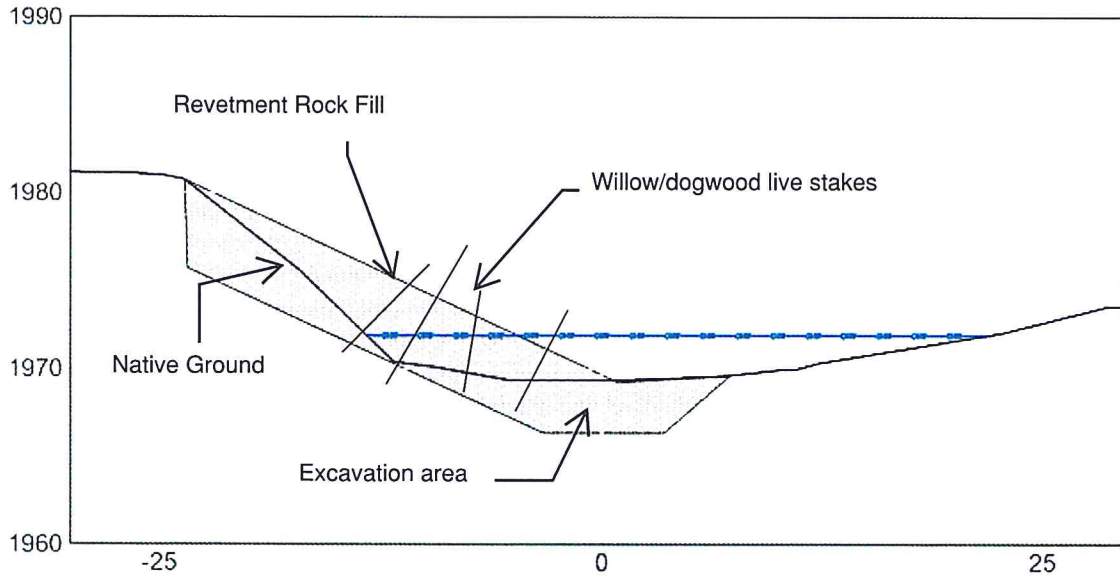


SECTION 2-2

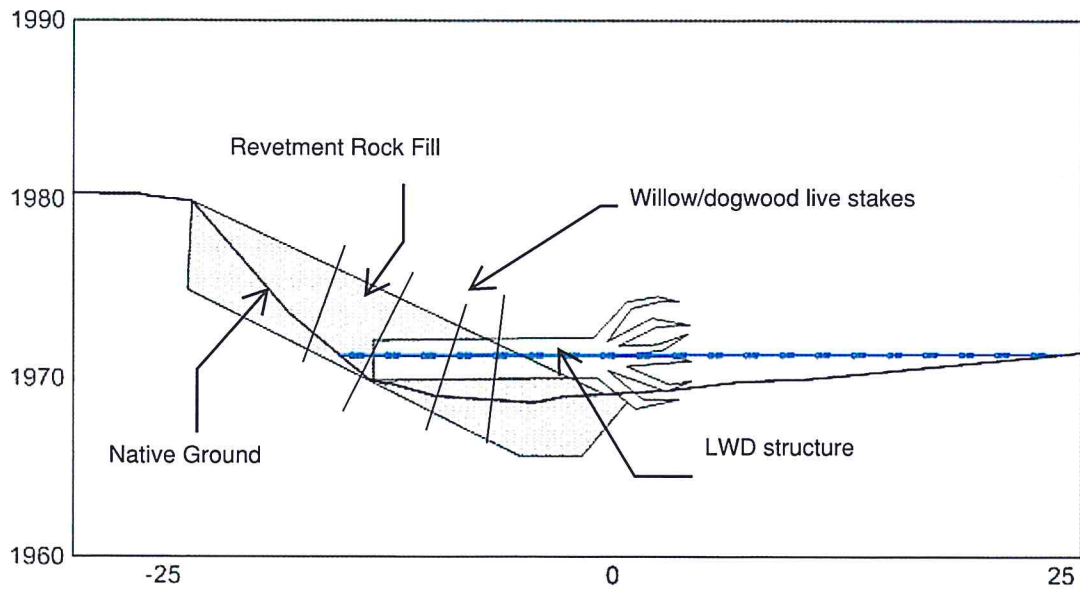


Length of revetment: 300 linear feet.
Area of fill below the OHWM: 3,500 square feet.
Total fill volume below the OHWM: 210 cubic yards (160 cy revetment; 50 cy barbs)
Total excavation below OHWM: 151 cubic yards

SECTION 3-3



SECTION 4-4



Length of revetment: 300 linear feet.
 Area of fill below the OHWM: 3,500 square feet.
 Total fill volume below the OHWM: 210 cubic yards (160 cy revetment; 50 cy barbs)
 Total excavation below OHWM: 151 cubic yards.