



32 North 3rd Street
Suite 304
Yakima, WA 98901
www.jacobs.com

RECEIVED
NOV 16 2017
Kittitas County CDS

November 10, 2017

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

Subject: Kittitas County Public Works; Schaake Levee Repair 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 Naneum Creek bridge removal at Bar 14 Road and emergency channel maintenance. The project will be undertaken by Kittitas County Public Works (County) and Kittitas Reclamation District (KRD). Documentation and justification for these exemptions are provided herein and in the enclosed information. The project has received expedited Hydraulic Project Approvals (HPAs) from Washington Department of Fish and Wildlife (WDFW), enclosed for your reference.

Also enclosed for your reference and use are project plans and photographs, and a Kittitas County Shoreline Exemption Permitting application.

Project Description

The County and KRD need to address on-going flooding, damage to infrastructure, and lack of channel capacity on Bar 14 Road at Naneum Creek. This is an imminent threat project that is needed prior to high flows anticipated in November that will cause additional flooding, impacts to KRD and County infrastructure, and impacts to local residences. To address the issue, the County and KRD plans to remove the damaged and constricting Naneum Creek Bridge on Bar 14 Road and clean aggraded sediment, cobble, and debris from the Naneum Creek channel. The work will occur in an approximate 1,200 foot section of Naneum Creek, from the KRD North Branch (NB) Canal to an approximately 200 feet upstream of the Bar 14 Road bridge. The County and KRD have performed this channel maintenance in this location for several decades.

The Bar 14 Road Bridge and the irrigation intake structure at Naneum Creek and the NB canal are consistently plugged by sediment and debris during flooding. The canal and inter-related infrastructure's position is perpendicular to the Naneum Creek alluvial fan and outwash terrace. During flooding in the winter and again in the late spring of 2017, aggraded sediment completely filled the Naneum Creek channel, forcing flood flows out of channel and severely impacting the bridge, road, and NB canal. This emergency project will return the Naneum Creek channel to its original condition, allowing flood flows to stay in the channel.

Flows from Naneum Creek will be diverted to allow the channel cleaning and bridge removal to occur in the dry. When the bridge is removed, the County and KRD can access the channel for sediment removal from Bar 14 Road, and use the dewatered streambed as a haul route for



November 10, 2017

Request for SEPA, Critical Areas, and Shoreline Permit Exemptions

material removal. Excavators and dump trucks will be used, and the material will be hauled to an upland location. Approximately 3,100 cubic yards of material may require removal to restore the channel.

The action needs to occur as soon as possible in November 2017, and will take less than 2 weeks once underway. The intent is to complete the project prior to high water events and remove the bedload material before Naneum Creek water levels increase and flooding causes additional failure of infrastructure.

SEPA

Washington Administrative Code (WAC) 197-11-880 defines when emergency actions are exempted from the requirements of SEPA or the SEPA guidelines. Actions that must be undertaken immediately or within a time too short to allow full compliance with SEPA, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt. An emergency exemption can be granted by a lead agency when 1) an action is needed to avoid an imminent threat to public health or safety, public or private property, or to prevent serious environmental degradation; and 2) there is not adequate time to complete SEPA procedures.

This action meets these requirements. Due to the lack of channel capacity in Naneum Creek, the next high-water event will severely and catastrophically impact Bar 14 Road, the KRD NB canal and intake structure, and adjacent residences. Typical yearly flows in mid- to late November are high enough to cause this damage, so the emergency action must occur as soon as possible.

In addition, 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 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 well, as the channel cleaning and maintenance is returning the stream to the condition before flooding and accumulated sediment. Removal of the damaged bridge is a betterment that removes a constriction that has caused sediment deposition for several decades.

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*



November 10, 2017
Request for SEPA, Critical Areas, and Shoreline Permit Exemptions

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 emergency action is required due to damage by flood events and to restore the channel capacity of Naneum Creek prior to expected flooding. The action will restore Naneum Creek to the previous condition prior to sediment aggradation, and remove the damaged Bar 14 Road Bridge. There are no adverse effects to resources or the environment, as work will restore the channel, remove the constricting Bar 14 Road Bridge, and create more natural stream conditions compared to the current degraded condition.

Critical Areas

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

The action meets this exemption due to the reconstruction of the Naneum Creek channel within its original footprint and the removal of an in-water structure. The project does not impact wetlands or riparian habitat as defined in KCC 17A.07.010, and will result in restoring aquatic habitat and flood hazard protection.

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: Kittitas County Shoreline Exemption Application
WDFW HPA
Project JARPA and drawings



November 10, 2017

Request for SEPA, Critical Areas, and Shoreline Permit Exemptions

Cc w/encl: Kittitas County Director of Public Works