



# KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

## SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT EXEMPTION

APPLICANT NAME	PHONE	MAILING ADDRESS	CITY/STATE/ZIP CODE
Mark Cook, Director Ellensburg, WA Kittitas County Public Works	509-674-2262	411 N Ruby ST Suite 1	98926

### DEVELOPMENT SITE LOCATION

Bar 14 Rd, northeast of Ellensburg  
NE ¼, NW ¼, Section 9, T18 N, R19E, WM  
47.071330 N, -120.473167 W, WM

### FLOODPLAIN/SHORELINE

Naneum Creek  
FIRM #: 5300950435B  
WRIA 39

### PROJECT DESCRIPTION

Removal of debris from Naneum Creek and restoration of shoreline area adjacent to the Kittitas Reclamation District Irrigation intake.

**THIS DEVELOPMENT IS EXEMPT PURSUANT TO WAC 173-27-040(2)(b) and KCC 17B.07.030 (2)(b). A SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT IS NOT REQUIRED FOR THIS PROJECT.**

### THE FOLLOWING CONDITIONS ARE REQUIRED PURSUANT WAC 173-27-040(1):

1. All work shall substantially conform to the specifications of the JARPA application packet submitted to Kittitas County Community Development Services by Mark Cook on October 4, 2018.
2. Issuance of this shoreline exemption permit does not authorize access onto private property, or waive other jurisdictional agency requirements. The permittee shall obtain consent from respective property owner(s) prior to entering onto private property, and shall obtain and comply with all applicable federal and state permit requirements in completing the proposed development.
3. Issuance of this shoreline exemption will not create liability on the part of Kittitas County or any officer or employee thereof, for any on or off site injury or damages that may result from this project.
4. This project is subject to KCC 17A Critical Areas, KCC 17B Shorelines, and all other applicable city, county, state and/or federal regulations.

### CONSISTENCY ANALYSIS

A shoreline substantial development permit is not required for the project as described due to exemption WAC 173-27-040(2)(b) and (e). Although exempted by statute/rule, such exempt developments must comply with all other regulatory requirements of the Shoreline Management Act and Kittitas County Shoreline Master Program.

- The Development will comply with the Washington State Water Code (See Revised Code of Washington 90.03).
- Buffer strips of permanent vegetation between shoreline development and associated water bodies are encouraged, and private and public land owners shall be responsible for the preservation of vegetation to minimize erosion within the shoreline areas (See KCSMP 5.3A(5)).
- Nothing in these regulations shall obviate any requirement to obtain any permit, certificate, license, or approval from any state agency or local government (See Revised Code of Washington 90.58.360).

**Note: This application is exempt from SEPA per WAC 197-11-800(3): "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 (examples include repair or replacement of piling, ramps, floats, or mooring buoys, or minor repair, alteration, or maintenance of docks). The following maintenance activities shall not be considered exempt under this subsection:

- (a) Dredging of over fifty cubic yards of material;
- (b) Reconstruction or maintenance of groins and similar shoreline protection structures;
- (c) Replacement of utility cables that must be buried under the surface of the bedlands; or
- (d) Repair/rebuilding of major dams, dikes, and reservoirs shall also not be considered exempt under this subsection.”

In addition, the project is exempt under WAC 197-11-880 as an “action must be undertaken immediately or within a time too short to allow full compliance with this chapter, 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. The project “shall be exempt.”

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<b>Approved By</b> Dusty Pilkington 	<b>Date of Issuance</b> October 16 <sup>th</sup> , 2018	<b>File No.</b> SX-18-00025	<b>No. Pages</b> 2
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