



## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

### STAFF REPORT WSDOT I-90

#### Shoreline Substantial Development Permit (SD-14-00001)

TO: Kittitas County Hearing Examiner  
FROM: Kittitas County Community Development Services Staff  
RE: WSDOT I-90 Phase 2A Shoreline Substantial Development Permit (SD-14-00001)  
DATE: October 9, 2014 (Hearing Date)

#### I. GENERAL INFORMATION

**Requested Action:** WSDOT has submitted an application for a Shoreline Substantial Development permit (SD-14-00001) which is for Phase 2A of the Interstate 90 Snoqualmie Pass East project between MP 59.5 and MP 62. This project includes widening the interstate from two to three lanes in each direction, replacement of deteriorating pavement, rock slope stabilization/cuts, signage an upgrade illumination, installation and realignment of utilities, new chain up areas, new culverts, wildlife bridges/connectivity and restoration to critical areas.

**Location:** This proposal is located in a portion of Sections 1 & 12 of Township 21 N., Range 11 E., and Sections 10 & 15 of Township 21N, Range 12 E., W.M. in Kittitas County, Washington. More generally it is located near the southeastern end of Lake Keechelus to approximately exit 62 (MP 59.5 to MP 62) along Interstate 90.

#### II. SITE INFORMATION

**Site Characteristics:**

**North:** Private and Public Vacant land; one private parcel with residence

**South:** Public land and Lake Keechelus

**East:** Interstate 90 and Public Vacant land

**West:** Lake Keechelus, Interstate 90 and Public Vacant land

**Access:** The site is accessed off of Interstate 90 between MP 59.5 and MP 62.

**Zoning and Development Standards:** The subject property is located within the Commercial Forest zone and allows for transportation improvements.

#### III. ADMINISTRATIVE REVIEW

**Notice of Application:** A shoreline substantial development permit was submitted to Community Development Services on February 18, 2014 and was deemed complete on August 6, 2014. Affidavit of site posting in accordance with KCC 15A.03.110 was received by CDS on August 11, 2014. The Notice of Application was issued on September 2, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on October 2, 2014.

#### IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Commercial Forest. Kittitas County has established the following goals and policies to guide activities within the Commercial Forest lands. These goals and policies were developed in response to identified needs within the county, and support the County Wide

Planning Policies:

GPO 2.75 Roads, Railroads, and Bridges: Future roads and railways should be located away from the shorelines wherever feasible. "Wherever feasible" is an important condition, since shorelines often offer the least troublesome and costly sites for road construction, but wherever a public road can be located outside the shoreline area, even at somewhat greater construction costs and problems, then the inland location should be used.

GPO Utilities; Utilities should be designed and installed in a manner which would result in a minimal damage to the normal qualities of the shoreline area...Upon completion, the applicant should restore the project area to a natural or near natural condition.

GPO 4.5 To provide all-weather, all-season use of the arterial system for the movement of goods and services.

GPO 4.47 To ensure coordination among federal, state, regional, and local transportation agencies related to laws, policies and plans in order to seek consistency and ensure compatibility with regional priorities.

GPO 4.48 Kittitas County shall actively participate on selected state, regional and local transportation committees by encouraging County representation on state, regional and local transportation committees, by actively participating in coordination efforts, and by reviewing County plans and policies for consistency with other plans and policies within the region.

**V. ENVIRONMENTAL REVIEW**

WSDOT acted as the lead agency for the SEPA/NEPA determination and issued an FEIS (Final Environmental Impact Statement) in August 2008 for the entire Interstate 90 Snoqualmie Pass Improvement project. A copy of the FEIS may be obtained from Kittitas County or Washington State Department of Transportation, South Central Region.

**VI. SHORELINE MASTER PROGRAM**

A portion of the project located along Lake Keechelus is located within the Conservancy Shoreline Environment. The Conservancy Environment is characterized by land uses which are primarily related to natural resource use. Management objectives are oriented toward maximizing sustained yield natural resources utilization, recreation, and low intensity recreational homes while restricting development in hazardous areas.

Please review the following applicable sections from the County's Shoreline Master Program:

Section 34: Roads, Railroads and Bridges

A road is a linear passageway, usually for motor vehicles, and a railroad is a surface linear passageway with track for train traffic. Bridges shall be any structure whose purpose is to traverse a water body by connecting opposite shorelines. Roads built for the sole purpose of providing access to logging areas shall be regulated under Section 26.

- (1) Roads, railroads and bridges shall be permitted in the Conservancy, Rural and Urban Environments subject to the following:
  - a. Road Construction:
    - iv. Roads crossing shorelines shall be permitted provided no alternative routes exist.
- (4) Road construction:
  - a. Roads shall follow natural contours where possible. Natural benches, ridge tops, and flatter slopes are preferred locations.
  - b. Erodeable cut, filled and side cast slopes when allowed within 100 feet of the ordinary high water mark shall be protected by planting or seeding with appropriate ground cover.

- c. Cross culverts for relief of ditch drainage shall be installed at all low points in permanent roadways.
  - d. Culverts across intermittent and tributary streams of less than 20 cubic feet per second mean annual flow located within shorelines of the State shall be adequate in size to carry the maximum anticipated flow.
  - e. Ditches shall be installed on the uphill side of all permanent roads, except through solid rock cuts. Ditches shall be kept clear of obstructions.
  - f. Major roads shall be surfaced with rock whenever necessary to prevent erosion of the subgrade.
  - g. Roads shall either be maintained so as to minimize erosion or be permanently closed and reforested or planted or seeded with appropriate ground cover.
  - h. All road segments shall have complete drainage control by the end of the construction season in which initial grading occurred.
- (6) Bridge Construction
- a. Bridges shall be designed and built so that they will not restrict or interfere with high water flows and be high enough to allow all potential debris to pass under.
  - b. Any disturbed bank material shall be removed from the channel and any soils exposed by bridge construction shall be protected from erosion by planting or seeding with appropriate ground cover, by rip-rap or by other means.

## VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. No comments have been received on this proposal.

## VIII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

### Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

### Consistency with the provision of KCC 17.57, Commercial Forest zoning:

This proposal is consistent with the Kittitas County Zoning Code 17.57. Rock crushing and Mining & Excavation are permitted outright in this zone. Asphalt & concrete plants are not permitted in this zone regardless if they are temporary or permanent. There is a possibility of a staging area near Easton that is within KCC 17.56, Forest and Range zone. Asphalt & concrete plants (permanent or temporary) are allowed as a conditional use in this zoning classification. A conditional use permit would be required prior to operating an asphalt & concrete plant in the Forest and Range zone.

### Consistency with the provisions of KCC 17A, Critical Areas:

Staff has conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the northern to eastern shoreline of Lake Keechelus which is a Shoreline of the State. The applicant provided a draft wetland & aquatic resource mitigation plan as attachment F to their shoreline substantial development permit application packet. Kittitas County agrees with the protective measures outlined in the document. The related environmental documents address the need for this project and efforts to conserve and/or restore the identified critical areas.

### Consistency with the Shoreline Master Program:

The Conservancy Shoreline designation allows for this proposed work as long as an alternative is not available,

which is not an option in this proposal. The related environmental documents address the need for this project. As conditioned, the proposal is consistent with the Shoreline Master Program.

Agency Comments:

No agency comments were received regarding this proposal.

Public Comments:

No comments from the public have been received regarding this proposal.

**IX. RECOMMENDATION**

As conditioned below, staff finds that the application is not detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 17.57, & Title 17A of the Kittitas County Code, the Kittitas County Comprehensive Plan and the Kittitas County Shoreline Master Program. Staff recommends approval of the WSDOT I-90 Phase 2A Shoreline Substantial Development Permit application, subject to the following findings of fact and conditions:

**Staff Findings of Fact**

1. WSDOT has submitted an application for a Shoreline Substantial Development permit (SD-14-00001) which is for Phase 2A of the Interstate 90 Snoqualmie Pass East project between MP 59.5 and MP 62. This project includes widening the interstate from two to three lanes in each direction, replacement of deteriorating pavement, rock slope stabilization/cuts, signage an upgrade illumination, installation and realignment of utilities, new chain up areas, new culverts, wildlife bridges/connectivity and restoration to critical areas.
2. This proposal is located in a portion of Sections 1 & 12 of Township 21 N., Range 11 E., and Sections 10 & 15 of Township 21N, Range 12 E., W.M. in Kittitas County, Washington. More generally it is located near the southeastern end of Lake Keechelus to approximately exit 62 (MP 59.5 to MP 62) along Interstate 90.
3. Site Characteristics:
  - North: Private and Public Vacant land; one private parcel with residence
  - South: Public land and Lake Keechelus
  - East: Interstate 90 and Public Vacant land
  - West: Lake Keechelus, Interstate 90 and Public Vacant land
4. The Comprehensive Plan designation is “Commercial Forest.”
5. The subject property is zoned “Commercial Forest,” which allows for the proposed transportation improvements.
6. A shoreline substantial development permit was submitted to Community Development Services on February 18, 2014 and was deemed complete on August 6, 2014. Affidavit of site posting in accordance with KCC 15A.03.110 was received by CDS on August 11, 2014. The Notice of Application was issued on September 2, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on October 2, 2014.
7. WSDOT acted as the lead agency for the SEPA/NEPA determination and issued an FEIS (Final Environmental Impact Statement) in August 2008 for the entire Interstate 90 Snoqualmie Pass Improvement project. A copy of the FEIS may be obtained from Kittitas County or Washington State

Department of Transportation, South Central Region.

8. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan.
9. This proposal is consistent with the Kittitas County Zoning Code 17.57
10. Staff has conducted an administrative critical area review in accordance with KCC 17A and found that this proposal is located along the northern to eastern shoreline of Lake Keechelus which is a Shoreline of the State. The applicant provided a draft wetland & aquatic resource mitigation plan as attachment F to their shoreline substantial development permit application packet. Kittitas County agrees with the protective measures outlined in the document. The related environmental documents address the need for this project and efforts to conserve and/or restore the identified critical areas.
11. The Conservancy Shoreline designation allows for this proposed work as long as an alternative is not available, which is not an option in this proposal. The related environmental documents address the need for this project. As conditioned, the proposal is consistent with the Shoreline Master Program.
12. No agency comments were received as of the time of staff review and completion of the staff report regarding this proposal.
13. No comments from the public were received as of the time of staff review and completion of the staff report regarding this proposal.

**Staff Conclusions:**

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, and the Kittitas County Shoreline Master Program.

**Recommended Conditions of Approval:**

1. The project shall proceed in substantial conformance with the plans and application materials on file dated February 18, 2014 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. The buffers for wetlands shall comply with draft Wetland and Aquatic Resource Mitigation Plan included as attachment F of the shoreline substantial development permit application packet.
4. All work shall take place outside of the OHWM except that work necessary below OHWM 2510 of Keechelus Lake. Work performed within the OHWM 2510 of Keechelus Lake shall be done in conformance with the Water Quality Monitoring and Protection Plan submitted as attachment G of the shoreline substantial development permit application packet.
5. Prior to the operation of an asphalt & concrete plant (temporary or permanent), the applicant shall contact

Kittitas County Community Development Services to determine if a zoning conditional use permit will be required.