



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 6, 2007



Your address  
is in the  
**Upper  
Yakima**  
watershed

Mike Elkins  
Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA 98926

Dear Mr. Elkins:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Sunset short plat, proposed by Parlova Miller, LLC [SP 07-70]. We have reviewed the documents and have the following comments in addition to Ecology's letter dated December 5, 2007.

#### **Shorelands/Environmental Assistance**

The County should not approve this short plat until outstanding enforcement issues regarding wetland clearing and draining of adjacent Category I wetlands are resolved/mitigated, especially if the activities were performed with applicant involvement or approval. This Category I wetland complex has bog components and shows up on both the National Wetland Inventory Map and the Kittitas County Soil Survey Map (Jan 1948).

The current maximum Kittitas County buffer requirement around Category I wetlands are 200 feet, which is appropriate for adjacent residential densities of less than one house per unit acre. A distance of 200 feet will protect most habitat functions and is consistent with Appendix 8D of Ecology's Guidance on Widths of Buffers and Ratios for Compensatory Mitigation for Use with the Eastern Washington Rating System.

It appears from the National Wetland Inventory Maps that the proposed parcel boundaries are located just outside of the wetland to the south, but up to half of the proposed parcels will include buffer areas which should not be developed. In addition, it appears that there is a road easement that is immediately adjacent to the wetland, which has no buffer between it and the Category I wetland area.



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The buffer areas should not be further impacted in order to protect the impacted wetlands from further destruction. The buffer areas have already been disturbed with agricultural practices, but are likely to be further degraded with placement of structures and use of lawn chemicals if the buffers are located within the parcel boundaries.

The placement of the road easement without buffers from the Category I wetland is not consistent with the Kittitas Critical Areas Ordinance, and will negatively impact the wetland should it be constructed in the future. The road easement should be moved to a location outside of the required wetland buffer distance. Ecology also recommends that the parcel boundaries be altered and the lots made smaller so that the buffer areas are not included within the parcel boundaries. The wetlands and their buffers could be placed in a conservation easement or in a separate and permanent open space tract. An alternative to the change of parcel boundary lines would be to place a permanent restriction on each parcel record/title/deed, with a map of the buffer area on the parcel and a requirement to place a physical boundary marker (like a fence) at the outside edge of the wetland buffer. Without such restrictions, it is highly likely that additional wetland impacts will occur over time.

Ecology recommends that the applicant be required to improve buffer function as part of a wetland impact mitigation plan to address the ongoing grading and historic destruction of the property wetlands and their buffers. The wetland mitigation plan should include improvement of buffer function via the planting of native shrubs and trees, and partial filling in of ditches (which were dug too deep) that now partially drain surface waters from the wetland. (Ecology has witnessed the effect of this ditch on the wetland over the last 5 years. The ditch has caused the wetland vegetation to shift from a primarily FACW scrub shrub wetland to a more emergent system, which has less wildlife habitat function.)

Ecology would be happy to help the applicant formulate an acceptable mitigation plan or to assist the County with review of a submitted mitigation plan. Please contact **Cathy Reed** at (509) 575-2616 for assistance or if you have question concerning these comments.

Sincerely,



Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012