

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"

August 15, 2008

Chris Daniels & Jacob Daniels
PO Box 7791
Bonney Lake, WA 98391

RE: Daniels Short Plat (SP-08-09)

Dear Mr. Daniels:

The Kittitas County Community Development Services Department has determined that the Daniels Short Plat (SP-08-09) is a complete application and hereby grants **conditional preliminary approval** subject to the following conditions:

1. Both sheets of the final mylars shall reflect short plat number (SP-08-09) and an accurate legal description shall be shown on the face of the final plat.
2. Full year's taxes shall be paid on all tax parcel numbers per requirement of the Kittitas County Treasurer's Office.
3. Thornton Creek, a "Type 2" stream, flows through the subject property. The stream shall be shown on the final mylars and its associated 100 foot buffer shall also be depicted.
4. The applicant shall adhere to the Washington Department of Fish and Wildlife conditions issued in their comment letter dated August 8, 2008. Documentation stating these conditions have been completed shall be submitted to Community Development Services prior to final approval.
5. The applicant shall consult with the Washington Department of Fish and Wildlife to determine the appropriate size of culvert for any proposed crossing of Thornton Creek. Documentation of Fish and Wildlife consultation shall be submitted to Community Development Services prior to final approval.
6. The following plat notes shall be recorded on the final mylar drawings:
 - All development must comply with International Fire Code.
 - The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performance in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted the right to farm provisions contained in Section 17.74 of the Kittitas County Zoning Code.
 - Lots 1, 2 and 3 of the Daniels Short Plat (SP-08-09) shall share a single ground water withdrawal of no more than 5,000 gallons per day combined. No more than ½ acre of lawn and garden shall be irrigated from this ground water withdrawal.
 - The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.
 - Metering will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

- Thornton Creek, a "Type 2" stream flows through the subject property. Per KCC 17A.07.010, a 100 foot buffer shall be maintained from the Ordinary High Water Mark (OHWM) of the stream.
 - Per Kittitas County Code 16.18.060, only sprinkler or drip irrigation is allowed for lots 3 acres or less in size.
7. Withdrawals of groundwater on the subject property are subject to the rules and regulations adopted and administered by the Washington State Department of Ecology. This includes the use of water for irrigation.
 8. Per Kittitas County Environmental Health, soil logs need to be performed and water availability is needed. Evidence shall be provided to Community Development Services prior to final approval.
 9. Please see the attached comments from Kittitas County Department of Public Works for plat notes and further issues that must be addressed prior to final approval.
 10. Additional comments regarding the Daniels Short Plat have also been attached. Please review all comments found herein for additional requirements and issues that shall be resolved prior to final approval.

Approval of the Daniels Short Plat may be appealed to the Kittitas County Board of Commissioners upon request of any aggrieved party within 10 working days, and shall accordingly be eligible for final administrative approval after August 29, 2008. Administratively approved short plats must be recorded with the County Auditor and shall not be deemed approved until so filed. If you have any questions, please do not hesitate to contact our office.

You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Commissioners (205 W. 5th, Room 108) by August 29, 2008 at 5:00p.m.

Sincerely,



Trudie Pettit
Staff Planner

CC: Encompass Engineering & Surveying
Required parties (KCC 15A)



State of Washington
Department of Fish and Wildlife
South Central Region – Ellensburg District Office,
201 North Pearl, Ellensburg, WA 98926
Phone: (509) 933-2491, Fax (509) 925-4702

RECEIVED
AUG 08 2008
KITTITAS COUNTY
CDS

August 8, 2008

Attn: Trudie Pettit
Kittitas Co. Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Subject: Daniels Short Plat

Dear: Ms Pettit

WDFW received a call in April to investigate a hydraulic violation on the Daniels' property due to the clearing and grading through the headwaters of Thornton Creek. I recently met with Chris Daniels and his business partner at the site of their proposed short plat to review site conditions and develop recommendations in order to move the project along. Many of the native plants have begun to recover from clearing activities, although the disturbance from clearing has also created a noxious weed problem.

When I met with Mr. Daniels and his business partner I explained the disproportionate importance of protecting these headwater stream systems as they represent the majority of surface area in a watershed. Because of this, impacts in these headwater areas can have major cumulative effects on downstream water quality and habitat. It is these downstream areas that provide habitat for both native non-listed fish and Endangered Species Act Steelhead and Bull trout.

Below I have listed a set of recommendations that we feel are appropriate to mitigate for the clearing and grading through the headwaters of Thornton Creek.

Conditions for approval:

- Applicant shall apply for a Hydraulic Project Approval for any crossings of the stream channel for temporary or permanent access roads. (See: <http://www.epermitting.org/>)
- Applicant shall spread the currently piled large downed wood material around throughout the site, however the fine piled material may be either chipped and spread throughout the site, or burned in the appropriate season. If burned, the scarified area shall be planted with native grasses and mulched with straw to reduce invasive weed establishment.
- Do not clear or disturb new areas along the riparian corridor of Thornton Creek as this will create additional weed problems and remove more native plants.

- Disturbed areas from clearing should be seeded with a native mix of grasses and have an erosion control method, such as straw mulch to minimize runoff of fine sediment.
- Noxious weeds (thistle, knapweed etc) that have established on the site due to clearing and grading activities should be controlled according to County Weed Board requirements.
- No additional clearing shall be done within 150 feet on either side of the stream channel.
- If fencing is used at the site, it should be low split rail or of another design that allows the migration of deer, elk, their young and other wildlife that commonly migrate through the area in their spring and fall migrations to and from higher elevations.
- Snags and other trees with defects should be left on the site for perching raptors, nesting birds and bats, woodpeckers and other cavity excavating or dwelling species. These trees should only be removed if there is a safety concern.

For this area we recommend a native seed mix consisting of the following mix:

Blue bunch Wheatgrass – biotype from Swauk Creek	5 lbs / acre
Idaho Fescue	5 lbs / acre
Beardless blue bunch wheatgrass	3 lbs / acre
Yarrow	0.6 lbs / acre
Lupine	0.5 lbs / acre
Pine grass	2 lbs / acre

The seed must be source identified. In other words, check with the vendor to ensure the seeds are appropriately matched for this area. One local vendor is BFI Seeds and they can be found on the Internet at: <http://www.bfinativeseeds.com/>. Contact information for Jerry Benson at BFI is 509-750-1789 or e-mail jbenson@bfinativeseeds.com

Mr. Daniels was willing to implement the above-mentioned conditions, and is interested in moving his project ahead at this time.

Please call me at (509) 933-2491 if you have questions or need more information.

Sincerely,

William R. Meyer
Area Habitat Biologist



Figure 1 Clearing and grading in the headwaters of Thornton Creek on the Daniels short plat April 2008



Figure 2 Clearing and grading on the Daniels short plat along the headwaters of Thornton Creek April 2008



State of Washington
Department of Fish and Wildlife
South Central Region – Ellensburg District Office,
201 North Pearl, Ellensburg, WA 98926
Phone: (509) 933-2491, Fax (509) 925-4702

RECEIVED
APR 17 2008
KITTITAS COUNTY
CDS

April 17, 2008

Attn: Trudie Pettit
Kittitas Co. Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Subject: WDFW comments on the Daniels short plat (SP-08-09), Griffin short plat (SP-08-08-04).

Dear: Trudie,

Thank you for the opportunity to comment on the above mentioned proposed short plats near Thornton Creek. The Department of Fish and Wildlife would like to address several concerns we have in the Thornton Creek area with development around watercourses, and with animal migration and landscape permeability for wildlife movement, as well as habitat impacts from development.

Lot Access and Stream Crossings

When access is required across a stream, a common access road and culvert or bridge should be built and permitted, rather than separate access crossings on the stream for each parcel. If possible, existing crossings should be used, or alternate routes located so that a stream crossing is not needed. Stream crossings or work in and around water requires a Hydraulic Project Approval from the Department of Fish and Wildlife. The permit is free and is typically issued within 45 days from the time we receive a complete application. Applications can be found on our website <http://wdfw.wa.gov/hab/hpapage.htm> or can be mailed from our local office.

Recommendations:

- Combine stream crossings for several lots to minimize habitat loss and maximize flood conveyance.
- Avoid the need for a stream crossing by re-routing the access route.

Stream Buffers

Riparian or streamside habitat takes on a disproportionate importance for both fish and wildlife species in the arid lands of Eastern Washington. These types of habitat are biodiversity hotspots and over 85% of Washington's terrestrial vertebrate species use riparian habitat for essential life activities. Thornton Creek confluences directly with the Yakima River approximately 1.5 miles downstream from the development parcels. The lower portions of Thornton Creek are definitely fish-bearing and due to the direct connection with the Yakima River, any water quality issues

created upstream will deliver directly into the Yakima, where Endangered fish species reside. The lower portions of Thornton Creek are also likely used by Chinook salmon, Coho salmon and potentially listed Steelhead and Bulltrout. These headwater streams such as Thornton Creek represent a significant drainage area, so perturbations to water quality in them can have significant negative impacts on the Yakima River.

Recommendations:

- Leave downed logs in and along riparian areas; they are important for amphibians and other animals. Leave dense brush and diverse habitat in place for biodiversity.
- Leave snags and dead trees as these provide homes for cavity excavators such as woodpeckers, and perch sites for owls and hawks.
- Retain an appropriate undisturbed buffer of vegetation along stream courses and wetlands. For a type 3 or type 4 stream segment (similar to Thornton Creek) our recommendation based on Best Available Science is 150 feet on each side of the stream. In portions of the stream where type 2 status is assigned, the buffer should be 200-250 feet.

Wildlife movement and Landscape Permeability

WDFW and WDNR own significant land in the vicinity of these proposed short plats and this public land supports herds of migrating elk and deer and other animals that require moving from higher elevation habitats on their summer range to lower elevation winter range in the shrub-steppe zone around Ellensburg. The proposed short plats occurs near a known migration route and some deer and elk over-winter in the area. Because of this, the area is also very important winter habitat for cougars. Fencing should be kept at a minimum and be constructed such that deer or elk and their young or other smaller wildlife can continue to migrate throughout the area. Low split rail fences work well for providing animal passage, whereas chain link or other high fences do not. Residents need to be reminded that feeding deer or elk not only disrupts their natural foraging patterns, but can also attract cougars closer to developments, thereby increasing the likelihood of a negative human-animal encounter.

The area between the LT Murray Wildlife Area and the Cascade mountains is an important movement corridor for both big game and cougars, as well as other wildlife species. Therefore, housing densities in this area should be kept at low levels, and fencing should be permeable to wildlife.

Recommendations:

- Open spaces should be planned to complement neighboring habitat corridors or neighboring open space, and/or placed along critical areas such as stream corridors.
- Fencing should be minimized and needs to be permeable to wildlife and their young.
- Animals such as deer and elk should not be fed.

Growth Management RCW 36.70A

Under Growth Management (RCW 36.70A.030) the term Rural Character is defined below:

(15) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built

environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.

Thank you for the opportunity to comment on this proposal and please call me at (509) 933-2491 if you have questions or need more information.

Sincerely,

William R. Meyer
Area Habitat Biologist



Department of Energy

Bonneville Power Administration
Spokane Regional Office
2410 East Hawthorne Road
Mead, WA 99021

April 7, 2008

In reply refer to: TERR/Bell-1

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APR 10 2008

**KITTITAS COUNTY
CDS**

Trudie Pettit, Staff Planner
Kittitas County Community
Development Services Office
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

RE: Daniels Short Plat, SP-08-09

Dear Ms. Pettit:

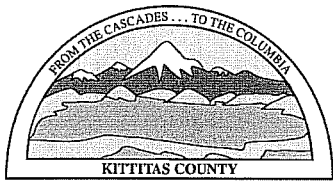
The Bonneville Power Administration (BPA) has had the opportunity to review the Daniels Short Plat. A check of our records indicates that this proposal will not impact our transmission line corridor in that location so BPA has no objections to the approval of this request.

Thank you for the opportunity to review this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Lesli Olson".

Lesli Olson
BPA Field Realty Technician



KITITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

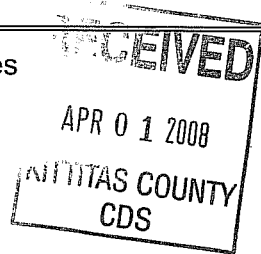
MEMORANDUM

TO: Trudie Pettit, Staff Planner, Community Development Services

FROM: Randy Carbary, Planner II *RC*

DATE: March 24, 2008

SUBJECT: Daniels Short Plat



Our department has reviewed the short plat application and has the following comments:

- “Conditional Preliminary Approval”** is recommended based on the information provided. See below for conditions of preliminary approval.
- “Additional Information Requested”. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following shall be conditions of preliminary approval:

1. Thornton Creek Lane Access Easement: The AFN (Auditors Recording Number) shall be shown on the face of the plat for the existing Thornton Creek Lane 60' access and utility easement.
2. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
3. Private Road Improvements: Access shall be constructed as a Low-Density Private Road. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.
 - b. Minimum centerline radius will be 60'.
 - c. The surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.

Page 1 of 4

- g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection of county road.
 - k. **A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.**
4. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshall regarding any additional cul-de-sac requirements.
5. Access to Lot 1 Joint-Use Driveway: It appears that access to lot 1 is being proposed via the 20' easement as shown on the face of the plat. Access to lot 1 shall be via this joint-use access and shall serve no more than two tax parcels. See Kittitas County Road Standards, 9/6/05 edition.
- a. Access easements shall be a minimum of 20' wide. The roadway width shall have a minimum width of 12'.
 - b. The surface requirement is for a minimum gravel surface depth of 6".
 - c. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - d. Any further subdivision or lots to be served by proposed access may result in further access requirements.
6. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
7. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
8. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
9. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.

10. Fire Protection: Contact the Kittitas County Fire Marshall regarding any additional access requirements for Emergency Response.
11. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.

Current Kittitas County Road Standards, as adopted 9/6/05.

Chapter 12 – PRIVATE ROADS

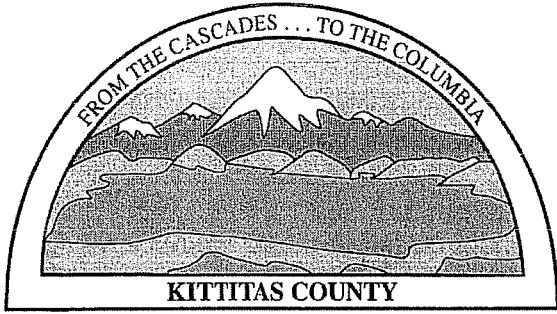
12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

"Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."

Please let me know if you have any questions or need further information.



PUBLIC HEALTH DEPARTMENT

www.co.kittitas.wa.us/health/

Administration
Community Health Services
Health Promotion Services
507 N. Nanum Street, Ste 2
Ellensburg, WA 98926
Phone: (509) 962-7515
Fax: (509) 962-7581

Environmental Health
411 N. Ruby Street, Ste. 3
Ellensburg, WA 98926
Phone: (509) 962-7698
Fax: (509) 962-7052

February 29, 2008

Chris Daniels
Jacob Daniels
PO Box 7791
Bonney Lake, WA 98391

Dear Sirs,

We have received the proposed Daniels Short Plat, located in Section 8, Township 19N, Range 16E, off of Thornton Creek Lane. We have also received the \$380.00 plat submission fee (receipt #056099).

For plat approval both sewage and water availability must be satisfactorily addressed. Refer to WAC 246-272-20501 and 246-272-09501 for septic and well setbacks. For sewage disposal you have two options:

1. **PUBLIC UTILITY SEWER**

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

2. **ON SITE SEWAGE**

Soil logs will need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

Prior to receiving final approval for subdivisions (short and long plats) in Kittitas County, applicants shall be required to show the adequacy of potable water supplies. Proof of potable water supply can be demonstrated four ways:

1. **PUBLIC UTILITY WATER SUPPLY APPLICANTS** – shall submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.

2. **GROUP WATER SYSTEMS:** All Group Water System applicants must contact a Satellite Management Agency (SMA) before initiating the application process. There is only one (1) SMA in Kittitas County. Their contact information is as follows:

Evergreen Valley Utilities
P.O Box 394
301 W. 1st
Cle Elum, WA 98922
(509) 674-9642

A. **GROUP "A" PUBLIC WELL** – if you have an existing well and a Department of Ecology issued "water right" for potable usage of the well, Washington State Department of Health (DOH) is the

regulatory authority for approving Group A systems. We require written verification that DOH has approved the system prior to final plat approval (see contact information below). If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

- B. GROUP "B" PUBLIC WELLS -Washington State Department of Health and Kittitas County Public Health Department share the regulatory authority for approving Group B Water Systems in Kittitas County. The process for approval includes a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval; drilling of the well and/or ensure that the well is located within the subdivision boundaries; completion of the well infrastructure, the workbook and all related documentation including testing and satisfactory results.

****All Group B applications with 3-9 connections** should be submitted to Kittitas County Public Health Department.; all Group B applications **10-14 connections** should be submitted to Washington State Department of Health at the addresses provided below.

Kittitas County Public Health Department
Environmental Health Division
411 N. Ruby Street, Suite 3
Ellensburg, WA 98926
(509) 962-7698

Washington State Department of Health
1500 W. 4th, Suite 305
Spokane, WA 99204
(509) 456-2453
ATTN: Tom Justus, Regional Engineer

After all of the aforementioned information is submitted, reviewed, and approved by Washington State DOH, final issuance of the well ID number completes the requirement.

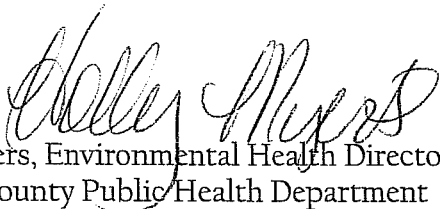
3. INDIVIDUAL WELLS – the submittal of well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydro geologist. According to Critical Areas Ordinance 17A.08.25, individual wells must be located 50 feet from all property lines.

All applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states:

"Kittitas County relies on its record that a supply of potable water exists. The approval of this division of land includes no guarantee or assurance that there is a legal right to withdraw groundwater within the land division."

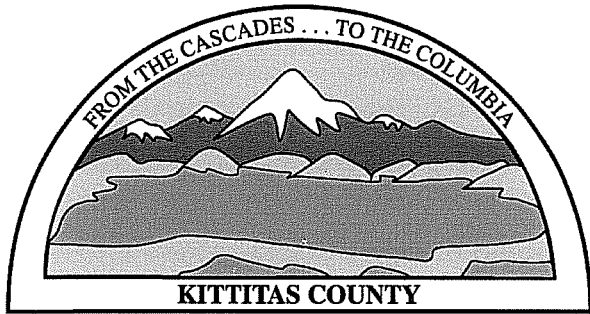
Once we have received and reviewed complete information, we will notify Community Development Services through our Environmental Health Checklist that you have satisfactorily addressed health department requirements.

Sincerely,



Holly Myers, Environmental Health Director
Kittitas County Public Health Department

cc: Community Development Services
Encompass Engineering & Surveying



www.co.kittitas.wa.us/health/

Administration

Community Health Services
Health Promotion Services
507 N. Nanum Street, Ste 102
Ellensburg, WA 98926

Environmental Health
411 North Ruby Street, Ste 3
Ellensburg, WA 98926
Phone (509) 962-7698
Fax (509) 962-7052

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APR 16 2008
KITITAS COUNTY
CDS

April 16, 2008

Trudie Pettit, Staff Planner
Kittitas County Community Development Services
411 N. Ruby St., Suite 2
Ellensburg, WA. 98926

RE: Daniels Short Plat (SP-08-09)

Dear Ms. Pettit,

Thank you for the opportunity to comment on the above referenced project. The file indicates soil logs need to be performed and water availability is needed. I recommend that a Group B water system be used to serve the three proposed lots. The water system plan and design will need to be submitted and approved and the water system installed and approved prior to final plat approval. Thank you for your time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Holly Duncan".

Holly Duncan
Environmental Health Specialist



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

RECEIVED

APR 10 2008

KITTITAS COUNTY
CDS

April 9, 2008

Trudie Pettit
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Dear Ms. Pettit:

Thank you for the opportunity to comment on the short plat of approximately 9.94 acres into 3 lots, proposed by Chris and Jacob Daniels [SP 08-09]. We have reviewed the application and have the following comments.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.

The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more than .5 acre of lawn and garden.



With the Supreme Court's guidance on the limitations of groundwater exemptions, all lots within this proposed subdivision would be covered by a single groundwater exemption provided this development is not part of a larger project.

To comply with the 5,000 gallon per day limit, Ecology recommends metering the wells for this development. Water use data should be recorded by the property owner of the well monthly. Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions. For metering information, please contact Ken Schuster at (509) 454-4263.

To comply with irrigating up to 0.5 acres of lawn and garden, Ecology recommends requiring property covenants for each lot to limit the amount of the lawn and garden to be irrigated so it adds up to the maximum allowable acreage.

The Department of Ecology encourages the development of public water supply systems, whether publicly or privately owned, to provide water to regional areas and developments.

All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Water Quality

Project Greater-Than 1 Acre with Potential to Discharge Off-Site

An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this

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includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> . Please submit an application or contact Bryan Neet at the Dept. of Ecology, (509) 575-2808, with questions about this permit.

Sincerely,

Gwen Clear

Gwen Clear *by Johnie Lyman*
Environmental Review Coordinator
Central Regional Office
(509) 575-2012