

## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

March 3, 2009

Keith Smith  
3600 136<sup>th</sup> Place SE  
Bellevue WA 98006

**RE: Transmittal of Comments – Amabilis Short Plat (SP-08-00042)**

Dear Mr. Smith:

Enclosed are the comments received regarding the Amabilis Short Plat (SP-08-00042) during the comment period:

September 11, 2008	Kittitas County Public Health – Form Letter
October 30, 2008	Confederated Tribes and Bands of the Yakama Nation – Johnson Meninick
October 29, 2008	Kittitas County Department of Public Works – Christina Wollman
October 28, 2008	Washington State Department of Ecology – Gwen Clear
February 26, 2009	Kittitas County Public Health – James Rivard

Please review all comments and notify me of any questions. I will be issuing the Conditional Preliminary Approval based on the comments received.

Sincerely,

Jeff Watson  
Staff Planner

cc: Noah Goodrich – Encompass Engineering and Surveying



To Protect and Promote the Health and the Environment of the People of Kittitas County

February 26, 2009

Jeff Watson, Staff Planner  
Community Development Services  
411 N Ruby Street, Suite 2  
Ellensburg, WA 98926

Dear Mr. Watson,

Thank you for the opportunity to comment on the Amabilis View Estates Short Plat, SP-08-00042. Pursuant to the Memorandum of Agreement between Kittitas County and the Washington State Department of Ecology all residential well connections serving the proposed lots shall be required to have meters installed. Metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements. The requirement to meter only applies if you rely upon the RCW 90.44.050 exemption from permitting through ecology.

The final plat notes shall include the following two statements:

*"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. "*

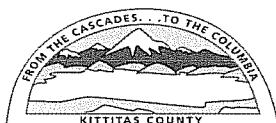
**AND**

*"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."*

The Public Health Department's recommendation shall state that final approval be conditioned upon the developer/owner of the plat providing proof of water availability. Water availability can be provided through several different ways depending on the source of water proposed.

If a public water system is proposed for the plat, the public water system information shall be submitted and reviewed by Kittitas County Public Health Department or Washington State Department of Health which includes final issuance of the well ID number to meet the water availability requirement for plat approval.

**Kittitas County  
Public Health Department**  
507 N. Nanum Street, Suite 102  
Ellensburg, WA 98926  
T: 509.962.7515  
F: 509.962.7581



[www.co.kittitas.wa.us/health/](http://www.co.kittitas.wa.us/health/)

**Environmental  
Health Services**  
411 North Ruby Street, Suite 3  
Ellensburg, WA 98926  
T: 509.962.7698  
F: 509.962.7052



*To Protect and Promote the Health and the Environment of the People of Kittitas County*

If individual wells are proposed for the parcels and there is an existing well located on the plat, a well log from Washington State Department of Ecology will meet the water availability requirement. If there is not an existing well on the plat, then a **water availability report** with documentation and evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted for review.

At this time the application does not contain sufficient information to make a determination of adequate water availability. The above mentioned items need to be submitted to the Public Health Department in order for the plat application to be recommended for approval.

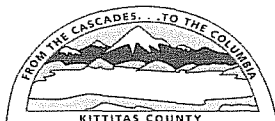
If you should have any further questions please don't hesitate to contact me by phone 509-962-7005 or email [james.rivard@co.kittitas.wa.us](mailto:james.rivard@co.kittitas.wa.us).

Sincerely,

A handwritten signature in cursive script that reads "James Rivard".

James Rivard  
Environmental Health Supervisor  
Kittitas County Public Health Department

**Kittitas County  
Public Health Department**  
507 N. Nanum Street, Suite 102  
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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

RECEIVED

OCT 29 2008

KITTITAS COUNTY  
CDS

October 28, 2008

Kari Braniff  
Kittitas County Community Development  
411 N Ruby Street, Suite 2  
Ellensburg, WA. 98926

Dear Ms. Braniff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the division of approximately 16.52 acres into 4 lots, proposed by Keith Smith [SP 08-00042]. We have reviewed the documents 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.



Ms. Braniff  
October 28, 2008  
Page 2 of 2

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 acre 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.

If you have any questions concerning the Water Resources comments, please contact Trevor Hutton at (509) 454-4240.

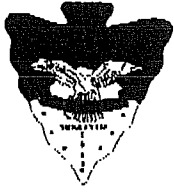
#### **Solid Waste**

Construction, demolition, and land clearing (CDL) debris can sometimes be recycled for less than it costs to landfill the materials. Call Ecology's 1-800-RECYCLE to see if there are facilities in the area that will accept your CDL materials.

Sincerely,



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



**Confederated Tribes and Bands of the Yakama Nation  
Established by the Treaty of June 9, 1855**

Post Office Box 151  
Toppenish Washington 98948

Kari Braniff  
Kittitas County Community Development Services  
411 N. Ruby St, Suite 2  
Ellensburg, WA 98926

October 30, 2008

**Subject: Amabilis Short Plat (SP-08-00042)**

Dear Ms. Braniff,

Thank you for contacting the Yakama Nation Cultural Resource Program regarding the proposed development listed above. This project falls within the ceded lands of the Yakama Nation, defined as the usual and accustomed areas and places utilized by the ancestors of the Yakama People for the gathering of foods, medicines, and ceremonial purposes. These legal rights are outlined in the Treaty of 1855 between the Yakama Nation and the United States government. Just as in the past, these lands and their resources continue to fulfill a central role in the culture of members of the Yakama Nation in the present, and will continue to do so in the future.

The provided project documentation notes the proposed development as being a 4-lot plat on approximately 16.52 acres of land located northeast of I-90, west of Lake Kachess, on Lake Kachess Road, within a portion of the northeastern ¼ of Section 13, Township 21 N., Range 12 E. We have reviewed the project in terms of its potential for adverse impacts to environmental resources, sacred areas, traditional cultural properties, archaeological properties and associated cultural issues. It is our belief that the proposed project is occurring within an area which has an extremely high potential for cultural sites and other cultural resources. Lodge Creek and the Lake Kachess area in general is well known to the Yakama Nation as a place of resource gathering, homesites, as well as burial sites and places of spiritual significance.

A review of the Washington State Department of Archaeology and Historic Preservation (DAHP) cultural site database indicates the rich cultural history of the area, with several sites associated with both Native American and historic Euro-American land use being found in the vicinity of the proposed development.

Given the potential for cultural resource sites at the proposed development locale, we feel that the appropriate action to identify any cultural/archaeological sites present should begin with a professional cultural resources survey and historical documentation of the development area prior to any ground disturbing activities associated with the project. Further, based on the findings of the survey, additional cultural resources protective measures may be necessary during any type of ground disturbing activities relating to the proposed development.

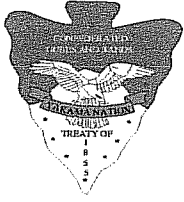
Please contact me at 1-509-865-5121 ext. 4737 or tribal archaeologist Dave Woody at ext. 4760 if you have any questions regarding the above recommendation.

Sincerely,

*Johnson Meninick, Casey Barnes*  
Yakama Nation Cultural Resources Program Manager

CC: Gretchen Kaehler, Assistant State Archaeologist, Washington State Department of Archaeology and Historic Preservation (DAHP)

Kate Valdez, Yakama Nation Tribal Historic Preservation Officer (THPO)



Confederated Tribes and Bands of the Yakama Nation  
Established by the Treaty of June 9, 1855

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Kari Braniff  
Kittitas County Community Development Services  
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October 30, 2008

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Please contact me at 1-509-865-5121 ext. 4737 or tribal archaeologist Dave Woody at ext. 4760 if you have any questions regarding the above recommendation.

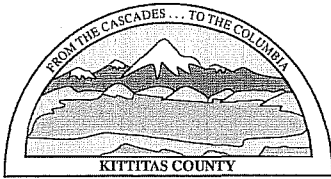
Sincerely,

 Johnson Meninick,   
Yakama Nation Cultural Resources Program Manager

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CC: Gretchen Kaehler, Assistant State Archaeologist, Washington State Department of Archaeology and Historic Preservation (DAHP)

Kate Valdez, Yakama Nation Tribal Historic Preservation Officer (THPO)



# KITTITAS COUNTY

## DEPARTMENT OF PUBLIC WORKS

### MEMORANDUM

TO: Kari Braniff, Community Development Services

FROM: Christina Wollman, Planner II CW

DATE: October 29, 2008

SUBJECT: Amabilis View Estates Short Plat SP-08-42

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. County Road Right-of-Way: 40' shall be dedicated to Kittitas County for the Kachess Lake Road right-of-way.

2. Dedication: The following dedication shall be shown on the final plat:

KNOW ALL MEN BY THESE PRESENTS that \_\_\_\_\_ do hereby declare this plat and dedicate to the public forever all roads and ways hereon with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon. Following original reasonable grading of roads and ways hereon no drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road rights-of-way, or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.

3. Access: Kachess Lake Road is classified as a Rural Minor Collector with a speed limit of 35mph. Accesses must meet the 150' spacing requirement. Joint-use accesses may be required.

4. FS Road 4934: No access from FS Road 4934 will be allowed without approval from the US Forest Service.

5. Joint-Use Driveway: A joint-use access 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.

Single-Use Driveway: A single-use access shall serve no more than one lot. See Kittitas County Road Standards, 9/6/05 edition.

- a. The roadway shall be a minimum of 8' wide with gravel surface.
  - b. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
  - c. Any further subdivision or lots to be served by proposed access may result in further access requirements.
6. Plat Notes: The second sentence of plat note number 6 shall read "See Kittitas County Road Standards."
  7. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
  8. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
  9. 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.
  10. 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.
  11. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
  12. Mailbox Placement: Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.



To Protect and Promote the Health and the Environment of the People of Kittitas County

September 11, 2008

Keith Smith  
3600 136<sup>th</sup> Place SE  
Bellevue, WA 98006

RECEIVED

SEP 17 2008

Kittitas County  
CDS

RE: Amabilis Short Plat submission fee received (\$380.00/receipt #2918)

Dear Mr. Smith:

We have received the application for your proposed Short Plat (located in Section 13, Township 21N, Range 12 E.W.M., off of Kachess Lake Road).

Enclosed is a checklist and detailed instructions for completing the Environmental Health requirements.

***Your plat application will not be approved until you meet the enclosed requirements.***

Once we have received and reviewed the required information, we will notify Community Development Services that you have satisfactorily addressed health department requirements.

If you have any questions or concerns, please feel free to contact our office.

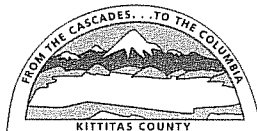
Sincerely,

A handwritten signature in cursive script that reads "Holly Myers".

Holly Myers, Environmental Health Director  
Kittitas County Public Health Department

cc: Community Development Services, Encompass Engineering & Surveying  
Enc: Checklist, Instructions for Completing EH Requirements, Soil Log Requirements

Kittitas County  
Public Health Department  
507 N. Nanum Street, Suite 102  
Ellensburg, WA 98926  
T: 509.962.7515  
F: 509.962.7581



[www.co.kittitas.wa.us/health/](http://www.co.kittitas.wa.us/health/)

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411 North Ruby Street, Suite 3  
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F: 509.962.7052

## Checklist

*Prior to receiving approval* of the above listed plat you must meet WAC 246-272-205(1) and WAC 246-272-095(1) by:

1. Proving there is an adequate supply of potable water

*Choose and follow instructions for one of the five following options:*

**Group “A” public well**

Provide written approval from Washington State Department of Health

**Group “B” public well**

Schedule a well site inspection or site inspection with Public Health as the first step toward approval of a group B system (the Group B system must be approved prior to plat approval)

**Individual wells**

Provide a well log or hydrogeological report to prove adequate ground water exists for the proposed number of potable water wells (see page 4). If a well log is used provide potable water test results.

**Shared two-party well**

Submit existing well log and a water user’s agreement signed by both parties

**Public utility water supply**

Submit a signed letter of agreement from a public utility official

AND

2. Proving satisfactory sewage disposal

*Choose and follow instructions for one of the two following options:*

**On-site sewage**

You must schedule a soil log and prepare the site (dig holes)

**Public utility sewer**

You must submit a signed letter of agreement from the public utility official

# Instructions for Completing Environmental Health Requirements

## I. ADEQUATE POTABLE WATER SUPPLY:

### PUBLIC UTILITY WATER SUPPLY APPLICANTS

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.

### PUBLIC WATER SYSTEMS

All Public Water System applicants must contact a Satellite Management Agency (SMA) before initiating the application process. Evergreen Valley Utilities (509) 674-9642 is currently the only SMA.

#### PUBLIC GROUP "A" 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.

#### PUBLIC GROUP "B" 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. 4<sup>th</sup>, 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.

## **INDIVIDUAL WELLS**

Submit 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 Hydrogeologist. According to Critical Areas Ordinance 17A.08.25, individual wells must be located 50 feet from all property lines. To obtain well logs, contact Department of Ecology at (509) 575-2490.

**After July 8, 2008** all applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states:

*“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. “*

**AND**

*“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.”*

## **II. SATISFACTORY SEWAGE DISPOSAL**

### **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.

### **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 WAC 246-272A or as amended (see attached soil log instruction sheet). 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.

### **SET BACK REQUIREMENTS**

A well must be located 50 feet from a septic tank and 100 feet from a drain field.

## **Soil Log Requirements for Land Division**

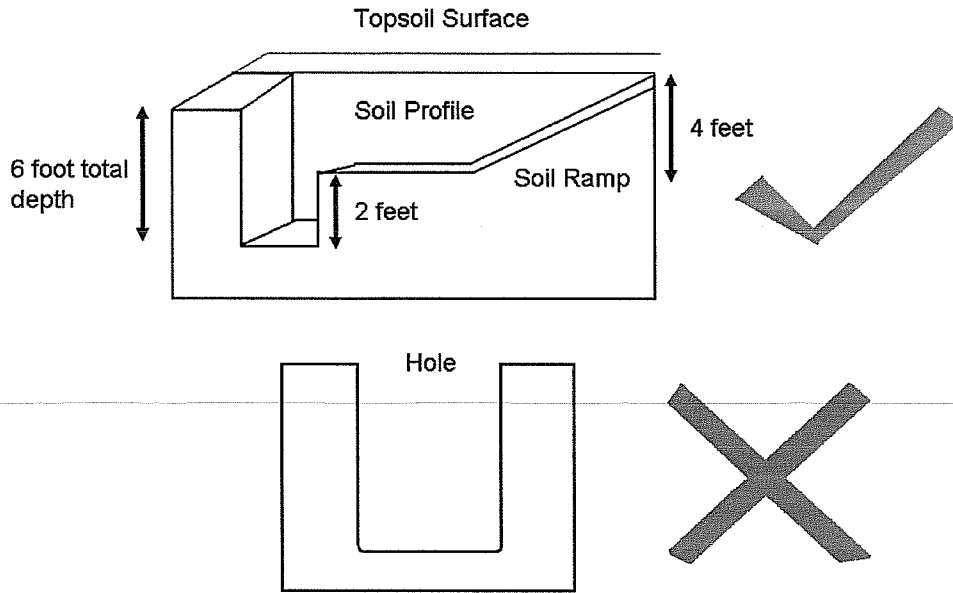
**Purpose:** The purpose of a soil log is to ensure that future property owners can be assured that they will be able to install a septic system on the property. A soil log is performed to ensure that suitable depth and type of soil is present on the property prior to final plat approval.

Since the type of soil and water source supplying the property can ultimately determine the minimum lot size, it is recommended that soil logs be conducted early in the plat planning process.

**Requirements:** In order for a soil log to be conducted, test holes must meet specific criteria according to Washington Administrative Code (WAC), Kittitas County Code (KCC) and Labor and Industries safety standards.

- 1) A minimum of one soil log per lot shall be dug to a depth of six feet, unless an impermeable layer such as bedrock, hardpan clay, or the existing water table prevents such a depth from being obtained. In some instances, additional holes may be required to determine if the minimum standards for septic support are present on the lot.
- 2) The design of a test hole shall be sloped to four feet beneath surface, leveled and then dug down an additional two feet for a total depth of six feet (see the diagram below for reference). Such a test hole is designed to prevent possible injury as a result of the surrounding soil bank collapsing into the test hole and to grant the local health officer ease of access to the soil profile.
- 3) In order to sub-divide property at least twelve inches of native, suitable soil must be present at the time the soil log is performed.
- 4) A soil log does not constitute a site-evaluation. A site evaluation determines the type of septic system required. A soil log only determines whether soils present on the property can support a septic system.





**Minimum Land Area Requirements:** According to the WAC 246-272 the minimum land area requirement from a public health perspective for subdivision of property is determined by the source of the drinking water and the soil type present to support an on-site sewage system (Table X). These guidelines have been put in place to protect human health and the environment from the potential health hazards that an on-site sewage system imposes. The type of water source available and soil type present must be determined by the local health officer. However, other minimum land area requirements may be subject to local government zoning regulations and restrictions, and it is advisable that property land owners seek advice from Community Development Services at (509) 962-7506 for assistance in this area.

**TABLE X**  
**Minimum Land Area Requirement**  
**Single-Family Residence or Unit Volume of Sewage**

Type of Water Supply	Soil Type (defined by WAC 246-272A-0220)					
	1	2	3	4	5	6
Public	0.5 acre	12,500 sq. ft.	15,000 sq. ft.	18,000 sq. ft.	20,000 sq. ft.	22,000 sq. ft.
	2.5 acre <sup>1</sup>					
Individual, on each lot	1.0 acre	1 acre	1 acre	1 acre	2 acres	2 acres
	2.5 acres <sup>1</sup>					

<sup>1</sup> See WAC 246-272A-0234(6).

**Other Considerations:** Since open holes present a potential danger to people, livestock, wild animals, and vehicles, it is advisable that such a hole be roped off or covered to prevent unwanted entry or marked to caution and facilitate finding. After the soil log has been performed the hole may be filled in by the property owner or contractor to eliminate the potential hazard.

**Scheduling a soil log:** Currently, soil logs are performed on a weekly basis by an Environmental Health Specialist. To schedule a soil log please contact the Environmental Health Office at 411 N. Ruby Street (509) 962-7506 to arrange an appointment.