



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

October 11, 2011



Dan Valoff  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: SP-11-00008

Dear Mr. Valoff:

Thank you for the opportunity to comment on the short subdivision of approx 29.53 acres into 2 lots, proposed by Sharon M. Simmons. We have reviewed the application and have the following comments.

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

The National Wetland Inventory Map identifies the pond on proposed lot 2 as an excavated pond, however, it may still be jurisdictional if the source of the water in the pond is the perennial waterway located to the west of and adjacent to the pond. This perennial waterway is part of a natural stream system that has been altered (straightened). Based on aerial photo review, the wetland area may extend beyond the boundaries of the open water pond area, especially to the north and south of the pond.

Any future development on site should be located outside of required wetland and stream buffers.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact Catherine Reed at (509) 575-2616.

#### **Water Quality**

Dividing or platting of a piece of property is often the first step in a proposed development. An NPDES Construction Stormwater Permit may be required if a subsequent individual or common plan of development that has potential for stormwater discharge from a construction site with disturbed ground. Ground disturbance includes all utility placements and building or upgrading existing roads. The process requires going through SEPA, developing a stormwater pollution prevention plan,



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submitting an application and a 30 day public notice process. This may take 45-60 days. A permit and a stormwater plan are required prior to beginning ground-breaking activities. Please contact Lynda Jamison with the Department of Ecology, (509) 575- 2434, with questions about this permit.

### **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.

If you have any questions or would like to respond to these Water Resources comments, please contact Melissa Downes at (509) 454-4259.

Sincerely,



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