



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 1, 2013



Jeff Watson
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: SP-13-00004

Dear Mr. Watson:

Thank you for the opportunity to comment on the short subdivision of approximately 40.00 acres into 4 lots, proposed by Arvin Marchel. We have reviewed the application and have the following comments.

WATER RESOURCES

The proposed project will create four 10 acre lots from two parcels totaling 40 acres. The SEPA checklist and project overview state that individual or shared wells will be used for domestic water supply. Please be advised that in Washington State prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, industrial purposes or for the irrigation of up to one-half acre of lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology.

On March 28, 2002 the Washington State Supreme Court ruled that the RCW 90.44.050 permit exemption does not apply where a developer of a residential subdivision proposes multiple wells to serve each lot in the development if in combination, the withdrawal will exceed the exemption criteria.

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.

Mr. Watson
May 1, 2013
Page 2

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 or would like to respond to these Water Resources comments, please contact **Mark Dunbar** at (509) 575-2024.

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, 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 **Bryan Neet** with the Department of Ecology, (509) 575- 2808, with questions about this permit.

Sincerely,



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