

Nelson View LLC's response to public comment on SEPA (SE-23-00009)

Washington State Department of Health – We understand that we must be in compliance and we will work with ecology as necessary. We will be working closely with Kittitas County Public Health to ensure all requirements of our 6 proposed shared and individual wells are met and the appropriate water rights are acquired.

Snoqualmie Tribe – We thank them for taking the time to comment.

Washington State Department of Transportation (Aviation) – We thank them for taking the time to comment.

Department of Natural Resources – A FPA is in progress and will be submitted after a site visit once the centerline of the road has been marked. This project is limited to the building of the roadways and utilities therefore timber removal should be minimal. A Forest Tax Number has been obtained. We have already been in contact with our local forest practices forester.

Confederated Tribes of the Colville Reservation – Please see response to DAHP below

Kittitas County Public Health – We understand the requirements listed and find nothing different than we expected to see.

Washington State Department of Transportation (Planning) – We understand the risks of increased noise from I-90, and other restrictions and requirements laid out within the comment.

Department of Archaeology and Historic Preservation – We will have an IDP in place. Due to the known nature of land use in the last 150 years the grounds have been heavily manipulated and an Archeological survey does not seem to be as beneficial as it once could have been. Please see the attached document with several historical maps and a brief description. We will forward recommendations to all future land owners as they begin their septic, House building, and other ground disturbing activities. Unfortunately any remaining structures on site are a safety hazard and beyond any repair as they were not maintained in recent past, the more valuable historic structures from the original homestead are in good shape on neighboring parcels owned by others

Nickie Backlin (Darling) – In response to Nickie Backlin's concerns, and her first concern being the will of Fredrick Darling. No wills are tied to the title of this property and any filings with the county regarding this were not brought to our attention through the course of our pre-application meeting. This parcel has been transferred multiple times and any stipulations have not been recorded to the title of this parcel.

Per our needed engineered drainage plan and grading permit, we have no intention of filling in the major natural drainage channel. There is major infrastructure in place to the north under the old railway and current railroad to allow the old water flow under them and interstate 90 and we do not intend to redirect any of the seasonal water away from that infrastructure. It is our understanding that part of the formation of the Darling Water Bank was an agreement to stop the use of surface waters across all the former Darling parcels. This document is recorded with the county assessor for each parcel. The surface waters found on the neighboring parcels

should no longer be there and or used for irrigation, and no water in hydraulic continuity with Big Creek is to be used for irrigation. The wetlands, ditching, and potential flooding concerns should be alleviated by reviewing the attached Non-wetlands report provided by Soundview Consultants. Additionally we were told in person by Nickie that the flooding a few years back was caused by the misuse of some old irrigation equipment followed by the mid-winter destruction of said equipment. We too have some concerns over if the water flow has been fully shut off from Big Creek per the DOE agreement, which allowed for the formation of the Darling Water Bank to sell privatized water rights, as these irrigation ditches that she provided pictures of do seem to contain water year round.

In regards to Minnie's grave site, while Minni's grave did not come up in the title report or the pre application meeting, we were aware that it was on this lot prior to the purchase per a conversation with Fred Darling many years ago. We did not know the exact location until the snow had melted off the property in the spring. Knowing where it is now, and having it located in our survey work, we intend to shorten the access driveway and move the well to the proposed parcel "NELSON VIEW LP LOT 3". We will follow whatever protocols are in place per county code regarding the grave site. We would be open to a 50 ft. buffer with access verbiage to both of Nickie's and Davida's parcels at the common lot corner of all 3 lots, tied to the title of the final parcel. This would prevent a future owner from placing a driveway between Minni's grave and southern lot lines or removing all of the surrounding trees and provide the darling family access to Minni's gravesite for visitation and maintenance that they previously may not have had without having to come to an agreement with the future owners.

Her final concern of access location. The access to 4 lots (not 5 as she states) on the shared private driveway being located on the northern boundary vs southern boundary will actually only impact more property owners on the unnamed private road such as the Braithwaite's that have expressed concerns of traffic and dust on the road as well.

We understand the concern for wildlife as we have lived on Pioneer Trail, and intend to continue living in the area. We too have all the same wildlife coexisting with our pets, horses, and homes. The size of these parcels compared to most everything in the area will help minimize the impact.

We understand that it's hard for the Darling family to see the old homestead split up and developed, but it has lost its value as agricultural land without surface water irrigation rights, and as she said in her letter they knew this day would come.

Kelly Braithwaite – Having lived on Pioneer trail (another gravel road less than 1/2 mile away) for 20 years, and on the downwind side of that road, we understand her concern for dust. The multi-use driveway access off of the currently unnamed gravel road will only access a maximum of 4 residences (not 5 as she states); we have located the access to the south of the parcels to help minimize the impact on all existing residences. Additionally the existing dirt bike track that is located in close proximity to her residence is spanning across two proposed parcels and will more than likely no longer be in use creating the massive amounts of dust associated with it. Our locally based road construction crews have budgeted and plan to include a water truck as necessary during the construction phase.

Washington Department of Fish & Wildlife – A full non-wetlands report has been attached to this response. Although no water should ever flow down the relic channel, as it has been shut off to promote higher water volume to the high value resource that is Big Creek, we do not plan to disturb the natural flow towards the infrastructure that is in place. We will be required to have

an engineered private road and engineered grading permit to ensure proper flow in the case of a flood.

Kittitas County Public Works - We understand the requirements listed and find nothing different than we expected to see.

Public comment from us - We again thank all those who took the time to comment and express their concerns and opinions, both publicly within this SEPA and privately in person. We understand that there is no way to make every party 100% happy but we will try our hardest to minimize any environmental impacts on the area. We do all live within ½ mile of this project site, have for 20+ years, and have no intention of moving away. We believe properly doing this project, with a local mindset, will ultimately benefit the entire area. It should prevent future over development by others with something like a cluster community that we all too often see happening around us.

Thank you KCCDS and Chace Pedersen,

The Nelson View team,

JT Rarden