



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 3, 2010



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

Re: VA-10-00005

Dear Mr. Watson:

Thank you for the opportunity to comment on the notice of application for the setback variance request to allow the home to be placed 170 feet from the eastern property line. The project is proposed by Alison and Michael Boehm. We have reviewed the application and have the following comment.

Water Resources

This project is located in the upper Kittitas County as defined by the Upper Kittitas Emergency Ground Water Rule Chapter 173-539A.

Any new uses of groundwater in upper Kittitas County will need to be either a permitted use authorized by the Department of Ecology (Ecology) or water budget neutral as determined by Ecology. Unless a building permit was granted and vested prior to July 16, 2006, a prospective water user shall first submit to Ecology a request for determination that the proposed use would be water budget neutral.

New groundwater pumping is allowed under the extended rule when the new use is fully mitigated. Mitigation can generally be achieved by acquiring and transferring or retiring another existing water right from the same water source to offset a new use. Please refer



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to WAC 173-539A, the Upper Kittitas Emergency Ground Water Rule for additional information.

Chapter 173-150 WAC and RCW 90.44 provide for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water, or contamination caused by withdrawal of ground water by a junior water right holder, including permit-exempt groundwater users.

If you have any questions or would like to respond to these Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Sincerely,



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