



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
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July 22, 2024

Jamey Ayling
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

SUBJECT: WDFW COMMENTS ON DV-24-00001

Dear Mr. Ayling,

Thank you for the opportunity to comment on DV-24-00001 concerning the request for a development agreement for 30 years from the approval date for Swauk Creek Planned Unit Development (z-06-27). Washington Department of Fish and Wildlife (WDFW) has reviewed the application and supporting documents. Our comments are regarding the project's impact on priority fish and wildlife habitats, particularly the riparian habitat of Swauk Creek and its associated floodplain. Specifically, our comments are to ensure that if the application is approved that the development will not result in loss of Fish and Wildlife Habitat Conservation Areas (FWHCA) under Kittitas County Critical Areas Ordinance (CAO).

The Master Site Plan, submitted as part of the review, shows recreational elements potentially in both the riparian area and floodplain. These elements may contain some passive recreation, but various infrastructure elements are listed, including campgrounds, event centers, parking, equestrian boarding, employee housing, and shop facilities. These activities are likely to have impacts to the riparian area and floodplain of Swauk Creek through either vegetation removal and/or prevention of future riparian and floodplain vegetation recruitment. Swauk Creek is a critical stream to various fish and wildlife species and is one of the primary streams identified in the Yakima Steelhead Recovery Plan (YBFWRB 2009). Streamside recreation and increased development in the riparian area and floodplain are both called out under limiting factors in the plan.

While the original site plan was authorized under a previous Critical Areas Ordinance (CAO) and Shoreline Management Plan (SMP), those previous standards do not meet the current standards of Best Available Science, nor are consistent with the current CAO and SMP. Under the current CAO, Swauk Creek is a fish-bearing stream within the Cascade Ecoregion and within the jurisdiction of the Kittitas County SMP. The Riparian Management Zone (RMZ) is defined here under Kittitas County Critical Areas Code as 150 foot.

WDFW requests that if the development agreement is extended, as is proposed, that all development activities within the SMP and CAO riparian areas and floodplains be held to the current CAO and SMP standards. Both the CAO and SMP standards are to ensure no net loss of

habitat within both riparian area of Swauk Creek and its associated floodplain. WDFW would recommend placing all recreation infrastructure elements outside of the RMZ and floodplain. If some elements cannot be placed outside of the RMZ and floodplain, then WDFW recommends a discussion between the applicant, the county, WDFW and WA Dept of Ecology (as they administer the SMP). This meeting would be to discuss potential impacts from these developments and ways to minimize their impact and eventually mitigate for those impacts that cannot be avoided.

WDFW offers the following draft provision in the MDNS to address this comment:

The riparian area and floodplain of Swauk Creek shall be defined according to current CAO and SMP standards at the time of development. All recreation infrastructure shall be located outside of the riparian and floodplain area of Swauk Creek. Any vegetation removal must follow current CAO standards. If any infrastructure is placed in the riparian or floodplain area, the applicant will consult with the Departments of Ecology and Fish and Wildlife in addition to the county to discuss impacts and measures to mitigate impacts.

In addition to the above recommendations regarding development in the RMZ and floodplain, the original MDNS for the Rezone from September 2006, listed that a “wetland and wildlife study” will be completed. Please share that information with WDFW and depending on the date of that study, some updates to reflect current information may be recommended.

Thank you again for the opportunity to comment and look forward to discussing this further with the county and the applicant. Please contact me at 509-607-3578 or Scott.Downes@dfw.wa.gov to discuss these concerns.

Sincerely,



Scott Downes
Regional Land Use Lead