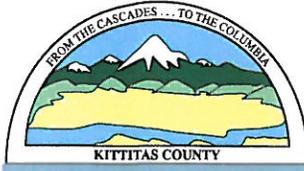


PROJECT NAME: **Tamarack Valley Rezone (RZ-10-04) & Preliminary Plat (LP-10-03)**

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KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

STAFF REPORT TAMARACK VALLEY REZONE & PRELIMINARY PLAT

TO: Kittitas County Hearing Examiner
FROM: Kittitas County Community Development Services Staff
RE: Tamarack Valley Rezone (RZ-10-00004) and Preliminary Plat (LP-10-00003)
DATE: May 26, 2011 Hearing

I. GENERAL INFORMATION

Requested Action: Brookside Consulting, agent for the property owner Cooper Pass LLC, have submitted an application for a rezone from Forest and Range to Rural-3 along with a Preliminary Plat to subdivide approximately 18.5 acres into 6-lots. The project is proposed to be served by a Group B Public Water System and individual on-site septic systems.

Location: The property is located north of Misty Mountain Way and south of Storie Lane, Cle Elum, WA in a portion of Section 28, T20N, R14E, WM, in Kittitas County. Assessor's map number: 20-14-28000-0007.

II. SITE INFORMATION

Total Project Size: 18.5 acres
Number of Lots: 6
Domestic Water: Group B Public System
Sewage Disposal: Individual on-site septic systems
Power/Electricity: Puget Sound Energy
Fire Protection: Fire District #7
Irrigation District: N/A

Site Characteristics:

North: Vacant
South: Vacant
East: Vacant
West: Vacant

Access: The proposed project will have access from Storie Lane via an existing bridge over the KRD canal and connected to existing private roadways. The access road will be constructed to meet Kittitas County Road Standards. All required roadway improvements will be the responsibility of the developer. A second access route may be required.

Zoning and Development Standards: The subject property is currently located within the Forest and Range zoning district. The applicant is proposing a rezone to Rural 3. The purpose and intent of Rural 3 zone is to provide areas where residential development may occur on a low density basis. A primary goal and intent in siting Rural-3 zones will be to minimize adverse effects on adjacent natural resource lands.

Permitted Uses in the Rural 3 zone include the following:

1. Single-family homes, mobile homes, cabins;
2. Lodges and community clubhouses;

3. Agriculture, livestock, poultry or hog raising, and other customary agricultural uses traditionally found in Kittitas County, provided that such operations shall comply with all state and/or county health regulations and with regulations contained in this title related to feedlots;
4. Forestry, including the management, growing and harvesting of forest products, and including the processing of locally harvested forest crops using portable equipment;
5. Home occupations which do not produce noise, such as accounting, photography, etc.;
6. Cluster subdivision, when approved as a platted subdivision;
7. All mining including, but not limited to, gold, rock, sand and gravel excavation, rock crushing, and other associated activities when located within an established mining district;
8. All buildings and structures not listed above which legally existed prior to the adoption of the ordinance codified in this chapter;
9. Uses customarily incidental to any of the uses set forth in this section;
10. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification to the county board of adjustment pursuant to Title 15A of this code, Project permit application process.
11. Accessory Dwelling Unit (if in UGA or UGN)
12. Accessory Living Quarters
13. Special Care Dwelling

III. ADMINISTRATIVE REVIEW

Rezone and Preliminary Plat Application: Applications for a Rezone Preliminary Plat were received on August 25, 2010. The application was deemed complete on September 17, 2010.

Posting of Site: The signed Affidavit of Posting was returned to CDS on September 23, 2010 indicating that the site had been accurately posted with the “Land Use Action” sign as provided by CDS and required per KCC 15A.03.110.

Notice of Application: The Notice of Application for the rezone and preliminary plat application was issued on September 30, 2010. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on November 1, 2010.

IV. COMPREHENSIVE PLAN

The Kittitas County Comprehensive Plan designates the subject property as Rural. Kittitas County has established the following goals and policies to guide future housing developments. These goals and policies were developed in response to existing housing conditions and identified needs within the county, and support the County Wide Planning Policies:

- GPO 2.5: “ Kittitas County should encourage residential and economic growth that will minimize the costs of providing public utilities and services.”
- GPO 2.94: A consideration for all future development should be the adaptability of a proposal to both public and private utilities such as municipal water and sewer systems.
- GPO 3.1 Provide a sufficient number of housing units for future populations in rural areas of Kittitas County.
- GPO 3.6 Provide for future populations while protecting individual property rights.

- GPO 3.17 Provide a sufficient number of housing units for future populations while maintaining the rural character of Kittitas County.
- GPO 3.18 Provide sufficient housing units while maintaining environmental quality.
- GPO 8.5 Kittitas County recognizes and agrees with the need for continued diversity in densities and uses on Rural Lands.
- GPO 8.46 Residential development in rural lands must be in areas that can support adequate private water and sewer systems.

V. REZONE CRITERIA

The applicant must demonstrate that the following criteria are met

- A. The proposed amendment is compatible with the comprehensive plan.
- B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
- C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
- D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
- E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
- F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
- G. The proposed change in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

The applicant responds to the above criteria with the following:

A. The proposed amendment is compatible with the comprehensive plan.

The proposed rezone is from Forest and Range to Rural-3. Examination of the Rural Lands element (Chapter 8) of the Comprehensive Plan clearly indicates that the proposed amendment is compatible with the Comprehensive Plan. Please see the following applicable Goals, Policies and Objectives:

8.5.5. Residential Uses

Rural Lands of Kittitas County are the home sites for thousands of families and provide a very special quality of life for these people. These people vary from being resource producers living and working on their own lands to out-of-state or out-of-area individuals with recreation and vacation homes. These people also could consist of retired people or young families commuting to out-of-area jobs. Residences may be isolated, or in rural neighborhoods, or part of housing developments located on small lots or large land-holdings. These residential lots may be located in dense forest or desert sage along rivers and lakes or along main thoroughfares to towns and cities. The best description of residential uses on Rural Lands is diverse and varied.

GPO 8.46 Residential development on Rural Lands must be in areas that can support adequate private water and sewer systems.

GPO 8.47 Insofar as residences are situated where farming, mining, and forestry exists, particular precaution should be taken to minimize the conflict between new residential developments and

farm operations. Farming, forestry and mining cannot be expected to curtail normal operation in the interest of residential development.

GPO 8.48 The possibilities and benefits of cluster residential developments located in rural lands should be retained.

GPO 8.49 Lot size should be determined by provision for water and sewer.

GPO 8.50 In the case of Planned Unit Developments (PUDs), only residential PUDs should be permitted outside of UGA's.

GPO 8.51 Innovations in housing developments such as but not limited to: cluster developments, planned unit developments, mobile home courts, and density bonuses should be encouraged whenever possible.

GPO 8.52 Existing lots of record are vested with the right to construct a single-family dwelling, subject to all applicable requirements in effect at the time of building permit application.

GPO 8.53 Where new residential development may be incompatible with resource production activities any buffering necessary should be carried out by the new development unless an alternative is mutually agreed upon by adjacent landowners.

B. The proposed amendment bears a substantial relation to the public health, safety or welfare.

The primary goal of the Comprehensive Plan is to enhance, preserve and protect the public health, safety and welfare. As such, if the rezone is consistent with and implements the Comprehensive Plan, then it has sufficiently been demonstrated that the rezone is in the interest of the public health, safety and welfare.

C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.

Rural character, development and services are defined in RCW 36.70A.030 (15), (16) and (17) as follows: "Rural Character refers to the pattern of land use and development established by a county in the rural element of its comprehensive plan; (b) that foster traditional rural lifestyles, rural based economies and opportunities to both live and work in rural areas; (e) that reduce the inappropriate conversion of undeveloped land into sprawling, low density development. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas. The Comprehensive Plan states: "the current mix of rural uses and densities has not increased the cost to taxpayers for road and utility improvements, police and fire protection, or the education of school populations beyond the means of the local people to finance such infrastructure."

Because the proposed rezone is consistent and compatible with the Comprehensive Plan and bears a substantial relation to the public health safety and welfare, then the proposed amendment must have merit and value for Kittitas County.

D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.

The Washington State Supreme Court has found that when a proposed rezone would implement an adopted comprehensive plan, then a change in circumstances may not necessarily be required. See *SORE v. SNOHOMISH COUNTY*, [99 Wn.2d 363, 662 P.2d 816 (1983)].

However, the subject property is located within an area characteristic of substantial change over the last 10 years. Nearby and adjacent properties previously held by Plum Creek have since been sold and developed into rural home sites, including a rezone of approximately 336 acres from Forest and Range to Rural -3. The area is no longer characteristic of or managed as commercial forest lands and the subject property is not designated as resource lands of long-term commercial significance.

E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

The proposed subdivision meets or exceeds all zoning standards contained within the Rural-3 zoning designation, including but not limited to permitted uses, lot size, lot width, yard requirements and setbacks

F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

As stated previously, the subject property is located within an area characteristic of rural residential development and the proposed subdivision will meet or exceed all applicable development standards of the Rural -3 zone

G. The proposed change in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

The subject property is located adjacent to the KRD Main Canal. However, there are no irrigation water deliveries on the subject property, existing or proposed, and there will be no adverse impacts to deliveries to other properties.

V. ENVIRONMENTAL REVIEW

Based on review of the submitted application materials and correspondence received during the comment period Kittitas County issued a Mitigated Determination of Nonsignificance (MDNS) on April 28, 2011 in accordance with WAC 197-11-355 (Optional DNS process). The last day to appeal the SEPA determination was May 12, 2011. There were no appeals filed.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as Exhibits in the Hearing Examiner packet.

Public comments were submitted on this proposal and have been included as exhibits in the Hearing Examiner packet.

VII. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive Plan Consistency:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The proposed subdivision also is consistent with GPO 8.5 in allowing a variety of densities in the rural areas of the County.

Consistency with the provisions of KCC 16.12: Preliminary Plat Subdivision Code:

The application contained all required elements necessary to review this proposal with the exception of soil logs and water availability, which will be required prior to final plat approval. All proposed lots meet the dimensional standards of KCC 17.30A for lots zoned Rural 3. This proposal is consistent with the Kittitas County Code 16.12.150 in making recommendation as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply system and fire protection facilities within the subdivision.

Consistency with the provisions of KCC Title 12: Roads and Bridges:

The Kittitas County Department of Public Works has identified that the project shall be served by a single private road, having a 60' wide easement and 22' wide road surface and ending in a cul-de-sac. The road is required to meet all Kittitas County Road Standards as outlined in the memorandum issued by the Department of Public Works prior to issuance of a building permit. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

Agency Comments:

The following agencies provided comments during the comment period: Department of Ecology, Department of Commerce, Kittitas County Department of Public Works, Fire Marshal's Office and Environmental Health. These comments have been included as conditions of approval to address these agency concerns.

Public Comments:

Public Comments were received from adjacent landowners and the issues raised therein were included as conditions of the SEPA MDNS.

VIII. RECOMMENDATION

As conditioned below, the application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 16.12 and Title 17 of the Kittitas County Code and the Kittitas County Comprehensive Plan. Staff recommends **approval** of the Tamarack Valley Rezone (RZ-10-02) and Preliminary Plat (LP-10-03) subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. Brookside Consulting, agent for the property owner Cooper Pass LLC, have submitted an application for a rezone from Forest and Range to Rural-3 along with a Preliminary Plat to subdivide approximately 18.5 acres into 6-lots.
2. The project is proposed to be served by a Group B Public Water System and individual on-site septic systems.
3. The property is located north of Misty Mountain Way and south of Storie Lane, Cle Elum, WA in a portion of Section 28, T20N, R14E, WM, in Kittitas County. Assessor's map number: 20-14-28000-0007.
4. Site Information:

Total Project Size:	18.5 acres
Number of Lots:	6
Existing zoning district	Forest & Range
Proposed zoning district	Rural 3
Domestic Water:	Group B Public System
Sewage Disposal:	Individual on-site septic system
Power/Electricity:	Puget Sound Energy

Fire Protection: Kittitas County Fire District #7
Irrigation District: N/A

5. Site Characteristics: The site is in mountainous terrain.

6. Surrounding Property:

North: Vacant

South: Vacant

East: Vacant

West: Vacant

7. The Comprehensive Plan designation is Rural.

8. The subject property is zoned Forest & Range, which allows for a 20 acre minimum lot size.

9. Applications for a rezone from Forest & Range to Rural 3 and a 6-lot Preliminary Plat were received on August 6, 2008. The applications were deemed complete on August 25, 2010.

10. In accordance with Kittitas County code 15A.030.110, this project was accurately posted with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the applicant and returned to the planner on September 23, 2010.

11. The Notice of Application was issued on September 30, 2010. Said notice was published in the official county newspaper of record and was also mailed to jurisdictional government agencies, adjacent property owners as required and other interested parties. The last day to submit written comments was November 1, 2010.

12. Kittitas County issued a Mitigated Determination of Nonsignificance (MDNS) on April 28, 2011 in accordance with WAC 197-11-355 (Optional DNS process). There were no appeals filed.

13. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. The proposed subdivision will be adequately served by rural levels of service. The lots will be served by a Group B Public System. Staff has conducted and an administrative critical area review in accordance with KCC 17A and found wetlands on the subject property.

14. This proposal is consistent with the Kittitas County Subdivision Code Chapter 16.12 for Preliminary Plats.

15. This proposal is consistent with the provisions of KCC 16.12 Preliminary Plat Subdivision Code. The application contained all required elements necessary to review this proposal with the exception of soil logs and water availability, which will be required prior to final plat approval. All proposed lots meet the dimensional standards of KCC 17.30A for lots zoned Rural 3. This proposal is consistent with the Kittitas County Code 16.12.150 in making recommendation as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply system and fire protection facilities within the subdivision.

16. The private road within the Plat is required to meet all Kittitas County Road Standards as outlined in the memorandum issued by the Department of Public Works prior to issuance of a building permit. As conditioned, the proposal is consistent with the provisions of KCC Title 12.

17. The following agencies provided comments during the comment period: Department of Ecology, Department of Commerce, Kittitas County Public Works and Environmental Health, These comments have been included as conditions of approval to address the agency concerns.
18. Three (3) individual landowner submitted comments during the comment period and these comments have been included as an exhibit in the Hearing Examiner packet and were considered in making the SEPA threshold determination.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interest will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 16 Subdivision, Title 17 Zoning, Title 17A Critical Areas, Title 15 Environmental, and Title 12 Roads and Bridges.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials which were deemed complete on August 25, 2010 except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. All current and future landowners must comply with the International Fire Code and its Appendices.
4. It is the responsibility of the applicant to contact the Kittitas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
5. Soil logs need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per Chapter 246-272 WAC or as amended. The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.
6. Proof of potable water must be shown prior to final plat approval.
7. A plat note discussing the spread of noxious weeds shall be shown on the plat and shall read: "Per RCW 17.10.140 Landowners are responsible for controlling and preventing the spread of noxious weeds, accordingly, the Kittitas County Noxious Weed Board recommends immediate reseeding of areas disturbed by development to preclude the proliferation of noxious weeds."

Zoning and Platting Standards:

8. The KRD canal easement line at the northern end of Lot 1 is shown as a solid line, but it should be a dashed line. Solid lines indicate lot lines; however, the northern lot line of Lot 1 is the centerline of the

KRD Canal. The final plat shall show the KRD easement line on Lot 1 as a dashed line, consistent with other easements on the plat.

9. Final mylars shall be submitted in accordance to KCC 16.20: Final Plats. All applicable survey data and dedications shall be reflected pursuant to KCC 16.24: Survey Data-Dedications.
10. Both sheets shall reflect the Plat number: LP-08-00026.

Critical Areas:

11. The applicant states that areas of the project site have steep slopes up to 45%. To address difficulties inherent to construction on steep slopes, the following note shall be placed on the face of the final plat:

The placement of buildings and structures on or adjacent to ascending or descending slopes steeper than 1 unit vertical in 3 units horizontal (33.3-percent slope) shall conform to the building setback requirements of current adopted building codes (IRC Section R403.1.7 and IBC Section 1805.3.1). Alternate setbacks and clearances are permitted, subject to the approval of the building official. The building official is permitted to require an investigation and recommendation of a qualified engineer to demonstrate the requirements necessary to construct a building on or adjacent to ascending or descending slopes. Such an investigation shall include consideration of material, height of slope, slope gradient, load intensity and erosion characteristics of slope material.

Transportation and Infrastructure

12. Second Access: This project is not required to construct a second access route at this time; however any future subdivisions or reassignment of access to existing subdivisions or parcels will require additional review and may require the construction of a second access.
13. Timing of Improvements: This application is subject to the current revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the structures within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
14. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with the Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed or the road construction to be bonded for prior to the issuance of a building permit for any of the structures within the proposed plat.
15. Cul-de-Sac Right of Way: Right of way shall be dedicated to Kittitas County for a cul-de-sac in a location approved by the County Engineer, as required by the Little Creek Ranches Plat Alteration LP-10-00001. The right of way shall have a radius of 55’.
16. Road Names: All roads shall be labeled on the final plat.
17. Private Road Improvements: Access from the end of the County road to a turnaround at or beyond the final lot access shall be constructed to meet or exceed the conditions of a High-Density Private Road that serves 15-40 tax parcels. See the Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60’ wide. The roadway shall have a minimum width of 22’, with 1’ shoulders, for a total width of 24’.

- b. Minimum centerline radius shall be 60'.
 - c. Surface requirement BST/ACP.
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.
18. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements. A hammerhead may be constructed with approval of the Fire Marshal.
19. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
20. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
21. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
22. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
23. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
24. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.

Water and Sewer

25. The final plat notes shall include the following statements:

- a. *The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.*
 - b. *Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."*
26. Final approval will be conditioned upon the developer/owner of the plat providing proof of potable water. Proof of potable water can be provided through several different ways depending on the source of water proposed as described and outlined in the Board of County Commissioners Resolution 2010-082.
 27. Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support a claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

Fire Safety

28. Approved water storage with a private fire hydrant system shall be installed. The hydrant system shall be subject to plan review through the Fire Marshal's Office and shall be subject to an annual Operational Permit.
29. Water storage and hydrant spacing shall comply with the International Fire Code.
30. The minimum fire flow requirements for the residential structures shall be no less than 1,000 gpm for a duration of no less than 30 minutes. A reduction in fire flow of 50% is allowed when buildings are provided with an automatic sprinkler system.
31. No fire apparatus access lane shall have a slope greater than 12%. A Variance Permit will be required for any slopes or grades greater than allowed by County Code.
32. "No Parking-Fire Lane" signs must be posted per Fire Marshal requirements on all cul-de-sacs.
33. Secondary access is required, or each residence accessed off of the single access road shall be required to have sprinkler protection as required by the County Fire Marshal's Office, with all associated permits issued. The sprinkler requirements shall be noted as a plat note on the final plat.
34. All bridges and gates across any private road shall be required to be permitted and certified.
35. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire and Building Codes.
36. A separate permit is required for any private water storage or hydrant system.
37. Review of the final project submittals may include further requirements.

SEPA Mitigation

38. All development, design and construction shall comply with those mitigation measures listed as “Voluntary Mitigation” in the SEPA Mitigated Determination of Nonsignificance, dated January 6, 2011, including the following:
- a. All stormwater facilities will be designed in accordance with DOE’s *Stormwater Management Manual for Eastern Washington*.
 - b. Energy-efficient and “green” building practices will be encouraged for future residents.
 - c. Construction hours will be limited to normal daytime hours, 7:00 am – 6:00 pm.
 - d. Future CC&Rs should encourage the use of natural building materials and natural or earth-tone colors.
 - e. If ground disturbance or other activities related to the proposed development result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact shall be made with the Washington State DAHP, SHPO and/or affected tribes. Work shall remain suspended until the find is assessed and appropriate consultation is conducted.
 - f. Existing private roads will be improved in compliance with Kittitas County standards.
39. The following mitigation conditions from the SEPA Mitigated Determination of Non-Significance shall be noted on the face of the final plat and included in the Covenants, Conditions, and Restrictions (CC&Rs) document recorded with the final plat:
- a. *All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.*



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"Building Partnerships – Building Communities"

NOTICE OF DECISION SEPA ACTION AND PUBLIC HEARING

To: Interested County Departments & Agencies with jurisdiction
Adjacent Property Owners
Applicant

From: Dan Valoff, Staff Planner

Date: April 28, 2011

Subject: Tamarack Valley Rezone and Long Plat (RZ-10-00002 and LP-10-00003)

Please find the attached Mitigated Determination of Nonsignificance (MDNS) for the above referenced project. A Notice of Application for the submitted application was mailed on September 17, 2010.

NOTICE IS HERBY given that pursuant to 43.21(C) RCW, Kittitas County Community Development Services did on April 28, 2011 make a Mitigated Determination of Non-Significance (MDNS) for the Tamarack Valley Rezone and Long Plat. The proposed project is a rezone and preliminary plat approval for a long plat of approximately 18.5 acres currently zoned Forest and Range. The proposal would change zoning to Rural-3 in conjunction with a 6-lot subdivision. The project would be served by a Group B water system and individual onsite septic systems. The project is located west of Cle Elum in a portion of Section 28, T20N, R14E, WM, in Kittitas County, Assessor's map number 20-14-28000-0007. The complete application file may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926. Staff Planner: Dan Valoff.

Any action to set aside, enjoin, review, or otherwise challenge such administrative SEPA action on the grounds of noncompliance with the provisions of chapter 43.21RCW shall be commenced on or before **May 12, 2011** at 5:00 p.m. to the Kittitas County Board of Commissioners, Rm. 108, County Courthouse, Ellensburg, WA 98926. Appeals of SEPA threshold determinations shall be consolidated with appeals of final permit approval, according to 15A.04.020, Chapter [43.21C RCW](#) and Chapter [15.04 KCC](#) (such as a decision to require particular mitigation measures or to deny a proposal). A single simultaneous hearing before one hearing body will consider the agency decision on a proposal and any environmental determinations made, with the exception of the appeal, if any, of a threshold determination of significance.

NOTICE IS HEREBY given that a hearing on said application before the Kittitas County Hearing Examiner has been scheduled for **May 26, 2011** at 6:00 p.m. in the Kittitas County Courthouse Auditorium, Ellensburg, WA. 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at the above address prior to the hearing. Interested persons are encouraged to verify prior to attending.

NOTICE OF SEPA ACTION AND PUBLIC HEARING

Tamarack Valley
RZ-10-00002 and LP-10-00003

NOTICE IS HERBY given that pursuant to 43.21(C) RCW, Kittitas County Community Development Services did on April 28, 2011 make a Mitigated Determination of Non-Significance (MDNS) for the Tamarack Valley Rezone and Long Plat. The proposed project is a rezone and preliminary plat approval for a long plat of approximately 18.5 acres currently zoned Forest and Range. The proposal would change zoning to Rural-3 in conjunction with a 6-lot subdivision. The project would be served by a Group B water system and individual onsite septic systems. The project is located west of Cle Elum in a portion of Section 28, T20N, R14E, WM. in Kittitas County, Assessor's map number 20-14-28000-0007. The complete application file may be viewed at Kittitas County Community Development Services, 411 N. Ruby St. Suite 2, Ellensburg, WA 98926. Staff Planner: Dan Valoff.

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Date: April 26, 2011

Publish: April 28 & May 5, 2011

DAILY RECORD
ORDER CONFIRMATION (CONTINUED)

Salesperson: KATHY ADAMS

Printed at 04/25/11 16:37 by cad18

Acct #: 84329

Ad #: 438267

Status: N

**NOTICE OF SEPA
ACTION AND
PUBLIC HEARING
Tamarack Valley
RZ-10-00002 and
LP-10-00003**

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Date: April 26, 2011
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DAILY RECORD
ORDER CONFIRMATION

Salesperson: KATHY ADAMS

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Acct #: 84329

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Status: N

KITTITAS COUNTY COMMUNITY
DEVELOPMENT SERVICES
411 N. RUBY ST, SUITE 2
ELLENSBURG WA 98926

Start: 04/28/2011 Stop: 05/05/2011
Times Ord: 2 Times Run: *****
STD6 1.00 X 11.77 Words: 364
Rate: LEG2 Cost: 194.71
Class: 0001 LEGAL NOTICES

Contact:

Phone: (509)962-7506

Fax#:

Email: dan.valoff@co.kittitas.wa.us

Agency:

Descript: TAMARACK RZ-10-00002

Given by: *

Created: cad18 04/25/11 16:18

Last Changed: cad18 04/25/11 16:37

PUB ZONE ED TP START INS STOP SMTWTFS
DR A 97 S 04/28 05/05
IN A 97 S 04/28 05/05

AUTHORIZATION

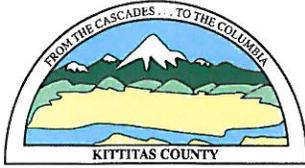
Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Name (print or type)

Name (signature)

(CONTINUED ON NEXT PAGE)



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** A rezone and preliminary plat approval for a long plat of approximately 18.5 acres currently zoned Forest and Range. The proposal would change zoning to Rural-3 in conjunction with a 6-lot subdivision. The project would be served by a Group B water system and individual onsite septic systems.
- Proponent:** Brookside Consulting, agent for Cooper Pass, LLC, landowner.
- Location:** The property is located west of the City of Cle Elum in a portion of Section 28, T20N, R14E, WM, in Kittitas County, Assessor's map number 20-14-28000-0007.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

Based on the project specific analysis, the lead agency for this proposal has also determined that certain mitigation measures are necessary in order to issue a Determination of Non-Significance for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures are listed below. Also note the following:

- A. This finding is based on review of the rezone and long plat applications submitted August 25, 2010. The application includes a SEPA Environmental Checklist dated August 25, 2010, along with the following additional reports: a title report dated December 2, 2009; *Custom Soil Resources Report for Kittitas County Area, Washington, Tamarack Valley Plat* dated January 26, 2010; and information on well locations and capacity with various dates.
- B. Issuance of this threshold determination does not constitute approval of the proposal for construction. This proposal will require review and approval by Kittitas County (Building Permit and associated permits/approvals) and will be reviewed for compliance with all applicable Kittitas County codes which regulate development activities, including but not limited to the Zoning Code, Uniform Fire and Building Codes, Road Standards, Surface Water Design Manual, and the Sensitive Areas Regulations. This proposal will also require approvals by other agencies as described in the SEPA Environmental Checklist. These approvals and requirements are not inclusive, as some approvals and code requirements can only be confirmed and/or reviewed upon submittal of construction permits.
- C. Voluntary mitigation measures which the applicant will implement as part of the proposal are listed in the SEPA Environmental Checklist and include the following:
 - All stormwater facilities will be designed in accordance with DOE's *Stormwater Management Manual for Eastern Washington*.
 - Energy-efficient and "green" building practices will be encouraged for future residents.
 - Construction hours will be limited to normal daytime hours, 7:00 am – 6:00 pm
 - Future CC&Rs should encourage the use of natural building materials and natural or earth-tone colors.

- If ground disturbance or other activities related to the proposed development result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact shall be made with the Washington State DAHP, SHPO and/or affected tribes. Work shall remain suspended until the find is assessed and appropriate consultation is conducted.
- Existing private roads will be improved in compliance with Kittitas County standards.

These mitigation measures are in addition to requirements that will be implemented through Kittitas County code compliance permit review. Prior to construction permit issuance, these voluntary mitigation measures will be incorporated as conditions of development.

The following SEPA mitigation conditions shall also apply based on the project specific analysis:

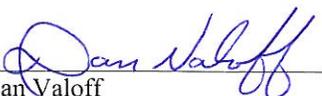
Wetland Impacts

1. The applicant's SEPA Checklist does not identify any wetlands on the project site. However, the Department of Ecology has stated it believes certain wetland vegetation may be present on the site, including cattails. Kittitas County Code Title 17A requires protection of wetlands, including avoiding disturbance and providing minimum buffers from development. Prior to site construction, the applicant shall conduct a wetland delineation of the project site to identify all possible wetlands, including wetland vegetation and soils, and submit this analysis to Community Development Services. Results of the wetland analysis may result in changes to the plat layout, in order to protect and buffer wetlands, including changes to the number of lots, location of internal access roads, location of septic drain fields, and other site elements.

Light Impacts

2. The following note shall be placed on the face of the final plat:
All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.

**Responsible
Official:**


Dan Valoff

Title:

Staff Planner

Address:

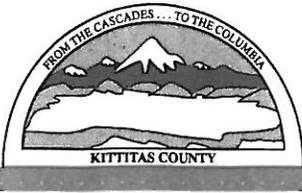
Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7506 Fax: (509) 962-7682

Date:

April 28, 2011

This Mitigated DNS is issued under WAC 197-11-355 and WAC 197-11-390; the lead agency will not act on this proposal for 10 working days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provisions of Chapter 197-11 WAC shall be commenced on or before 5:00 pm, May 12, 2011.

Pursuant to Chapter 15A.04.020 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$500.00 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received within 10 working days, or no later than 5:00 PM, May 12, 2011. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on appeal process.



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

April 28, 2011

Allison Kimball
Brookside Consulting
P.O. Box 1036
Cle Elum WA 98922

RE: Tamarack Valley Rezone and Long Plat Application (RZ-10-00002 and LP-10-00003)

Dear Ms. Kimball,

The County has reviewed your proposal for a rezone and long plat of approximately 18.5 acres currently zoned Forest and Range. The proposal would change zoning to Rural-3 in conjunction with a 6-lot subdivision. The property is located in a portion of Section 28, T20N, R14E, WM, in Kittitas County, Assessor's map number 20-14-28000-0007. Final plat approval and building permits will be required. Enclosed with this letter is the County's SEPA Mitigated Determination of Nonsignificance (MDNS).

Please note that the environmental threshold determination does not constitute final approval. In addition to all SEPA-specific mitigation measures, preliminary approval of this plat will have a number of plat conditions. These conditions assure that the proposed preliminary plat is consistent with adopted codes and standards.

The following are possible conditions of preliminary approval for this proposal. Conditions may be added or modified prior to preliminary plat approval.

Zoning and Platting Standards:

1. The KRD canal easement line at the northern end of Lot 1 is shown as a solid line, but it should be a dashed line. Solid lines indicate lot lines; however, the northern lot line of Lot 1 is the centerline of the KRD Canal. The final plat shall show the KRD easement line on Lot 1 as a dashed line, consistent with other easements on the plat.

Critical Areas:

2. The applicant states that areas of the project site have steep slopes up to 45%. To address difficulties inherent to construction on steep slopes, the following note shall be placed on the face of the final plat:

The placement of buildings and structures on or adjacent to ascending or descending slopes steeper than 1 unit vertical in 3 units horizontal (33.3-percent slope) shall conform to the building setback requirements of current adopted building codes (IRC Section R403.1.7 and IBC Section 1805.3.1). Alternate setbacks and clearances are permitted, subject to the approval of the building official. The building official is permitted to require an investigation and recommendation of a qualified engineer to demonstrate the requirements necessary to construct a building on or adjacent to ascending or

descending slopes. Such an investigation shall include consideration of material, height of slope, slope gradient, load intensity and erosion characteristics of slope material.

Transportation and Infrastructure

3. Second Access: This project is not required to construct a second access route at this time; however any future subdivisions or reassignment of access to existing subdivisions or parcels will require additional review and may require the construction of a second access.
4. Timing of Improvements: This application is subject to the current revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the structures within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
5. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with the Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed or the road construction to be bonded for prior to the issuance of a building permit for any of the structures within the proposed plat.
6. Cul-de-Sac Right of Way: Right of way shall be dedicated to Kittitas County for a cul-de-sac in a location approved by the County Engineer, as required by the Little Creek Ranches Plat Alteration LP-10-00001. The right of way shall have a radius of 55’.
7. Road Names: All roads shall be labeled on the final plat.
8. Private Road Improvements: Access from the end of the County road to a turnaround at or beyond the final lot access shall be constructed to meet or exceed the conditions of a High-Density Private Road that serves 15-40 tax parcels. See the Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60’ wide. The roadway shall have a minimum width of 22’, with 1’ shoulders, for a total width of 24’.
 - b. Minimum centerline radius shall be 60’.
 - c. Surface requirement BST/ACP.
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.

9. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements. A hammerhead may be constructed with approval of the Fire Marshal.
10. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
11. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
12. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
13. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
14. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
15. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.

Water and Sewer

16. The final plat notes shall include the following statements:
 1. *The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.*
 2. *Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."*
17. Final approval will be conditioned upon the developer/owner of the plat providing proof of potable water. Proof of potable water can be provided through several different ways depending on the source of water proposed as described and outlined in the Board of County Commissioners Resolution 2010-082.

18. Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support a claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

Fire Safety

19. Approved water storage with a private fire hydrant system shall be installed. The hydrant system shall be subject to plan review through the Fire Marshal's Office and shall be subject to an annual Operational Permit.
20. Water storage and hydrant spacing shall comply with the International Fire Code.
21. The minimum fire flow requirements for the residential structures shall be no less than 1,000 gpm for a duration of no less than 30 minutes. A reduction in fire flow of 50% is allowed when buildings are provided with an automatic sprinkler system.
22. No fire apparatus access lane shall have a slope greater than 12%. A Variance Permit will be required for any slopes or grades greater than allowed by County Code.
23. "No Parking-Fire Lane" signs must be posted per Fire Marshal requirements on all cul-de-sacs.
24. Secondary access is required.
25. All bridges and gates across any private road shall be required to be permitted and certified.
26. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire and Building Codes.
27. A separate permit is required for any private water storage or hydrant system.
28. Review of the final project submittals may include further requirements.

SEPA Mitigation

29. All development, design and construction shall comply with those mitigation measures listed as "Voluntary Mitigation" in the SEPA Mitigated Determination of Nonsignificance, dated January 6, 2011, including the following:
 - a. All stormwater facilities will be designed in accordance with DOE's *Stormwater Management Manual for Eastern Washington*.
 - b. Energy-efficient and "green" building practices will be encouraged for future residents.
 - c. Construction hours will be limited to normal daytime hours, 7:00 am – 6:00 pm.
 - d. Future CC&Rs should encourage the use of natural building materials and natural or earth-tone colors.
 - e. If ground disturbance or other activities related to the proposed development result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the

immediate area and contact shall be made with the Washington State DAHP, SHPO and/or affected tribes. Work shall remain suspended until the find is assessed and appropriate consultation is conducted.

f. Existing private roads will be improved in compliance with Kittitas County standards.

30. The following mitigation conditions from the SEPA Mitigated Determination of Non-Significance shall be noted on the face of the final plat and included in the Covenants, Conditions, and Restrictions (CC&Rs) document recorded with the final plat:

a. *All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby residential properties.*

If you have any questions regarding this matter, please feel free to contact me at (509) 962-7506 or by email at dan.valoff@co.kittitas.wa.us.

Sincerely,



Dan Valoff
Staff Planner

GROFF MURPHY
LAWYERS

Michael J. Murphy
E-Mail: mmurphy@groffmurphy.com

April 5, 2011

Via Facsimile to: 509-962-7682

And via E-Mail

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

**Re: Proposed Rezone and Preliminary Plat for Tamarack Valley
(RZ-10-00002; LP-10-00003)**

Dear Dan:

I represent the owner for the above project, Cooper Pass, LLC. The purpose of this letter is to respond to the letter from the Department of Commerce ("DOC") dated November 17, 2010 regarding the above application.

As a threshold matter, I would note that the DOC letter also addresses a separate and unrelated plat filed by Central Cascades Land Company called Number 5 Canyon PUD. The DOC letter is confusing because it blurs together comments on two very different project applications. The Tamarack Valley application involves a rezone in an area almost completely surrounded by R-3 zoned land and the division of 18.6 acres into 6 lots. By contrast, the Number 5 Canyon PUD involves the division of 296 acres into 1,000 residential units. These two projects are not even remotely similar, and the DOC decision to address those in a single letter is improper and appears to be intended to tar the Tamarack Valley project with the alleged impacts of the dramatically larger and more dense Number 5 Canyon PUD project. Indeed, 2 ½ pages of the DOC letter are addressed to the Number 5 Canyon PUD, and less than a full page is devoted to the Tamarack Valley project. This is patently unfair to the Tamarack Valley applicant, as the Tamarack Valley application shares little or nothing in common with the Number 5 Canyon PUD. Failure to separately comment on the two dramatically different projects is at best confusing and at worst intentionally misleading. In any event, it is clearly improper and disrespectful of the rights of the procedural due process rights of the Tamarack Valley applicant. For that reason, the DOC letter should be given limited or no weight.

GROFF MURPHY, PLLC
300 EAST PINE STREET SEATTLE WASHINGTON 98122
(206) 628-9500 www.groffmurphy.com (206) 628-9506 FACSIMILE

Dan Valoff, Staff Planner
April 5, 2011
Page 2

With respect to the comments in the DOC letter that actually address to the Tamarack Valley project, it is clear that the DOC has done little or nothing to understand the application and the existing land uses on the subject property and the surrounding area, and instead has simply dropped in some excerpts from certain WAC regulations without any thought or attempt to link them in any way to the actual application.

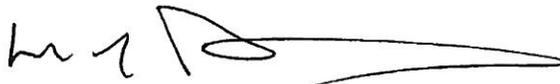
For example, the DOC letter quotes at length from WAC 365-190-040 (10), (11) and (12). These provisions provide generic recommendations regarding the "process" of amending natural resource lands designations. While it is correct that the Tamarack Valley proposed rezone will change the zoning from Forest and Range to Rural-3 for the subject acreage, both zones are rural land uses, and there is no change in the Comprehensive Plan designation for this property.

More importantly, the subject property is no longer suitable for intensive forestry use given that it is squarely in the middle of an area that has either already started developing or that has been slated for future development by the County. For example, the land to the south and east is already zoned Rural-3. The area to the north is zoned Agriculture-3. While the land to the west is still Forest and Range, the parcels are 9 and 10 acres, respectively, are partly developed, and are not suitable for intensive commercial forestry. The notion that these 18.6 acres need to be preserved as resource lands, or need to be compatible with the preservation of adjoining commercial forestry reflects a complete lack of understanding of the surrounding land uses and conditions. Indeed, former County employees will testify that the subject property was supposed to be rezoned in an area-wide rezone in 2006-2007, but was inadvertently overlooked. None of this is reflected in the generic comments from DOC.

In short, the boilerplate quotes from the WAC regulations contained in the DOC letter add nothing to this process, as they reflect a complete lack of understanding of the application and the conditions of the subject property and surrounding land uses. Further, while the attempt to tar this small project with the impacts of a much larger and unrelated project is clearly troublesome, those comments should be ignored as they are completely irrelevant.

Very truly yours,

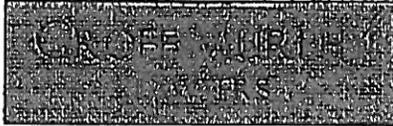
GROFF MURPHY, PLLC



Michael J. Murphy

MJM:smd

cc: Allison Kimball, Brookside Consulting (Applicant) (via e-mail)



Michael J. Murphy
E-Mail: mmurphy@groffmurphy.com

December 29, 2010

Via Facsimile to 509-962-7663

Christina Wollman, Planner II
Kittitas County Department of Public Works
411 N. Ruby St., Ste. 1
Ellensburg, WA 98926

Re: Proposed Conditions LP-10-00003, SP-10-00014, LP-10-00004

Dear Christina:

I represent Cool Water, LLC, the owner and applicant of SP-10-00014, commonly known as Beaver Creek Short Plat. Thank you for forwarding your draft comment memo for the subject project to Allison Kimball of Brookside Consulting.

I would like to address several specific points in your memo in hopes of correcting what I believe are some simple misunderstandings regarding the Beaver Creek Short Plat. Specifically, I will address Beaver Creek's legal access, the Kittitas County Codes, their application to the plat, and Resolution 2010-095 as it relates to the plat.

The first paragraph of your draft memo states "the BOCC decided . . . [that the] Storie Lane extension . . . *should* be a public road." (emphasis added) That may be the case, but that is a goal, not a current condition; the BOCC did not make the entire Storie Lane extension to Misty Mountain Way and/or Misty Mountain Way a public road at this time, nor is it required to be a public road prior to the approval of the Beaver Creek Short Plat. The relevant portion of Resolution 2010-095, Findings of Fact Number 8, states as follows:

The Board finds that the public use and interest is served by the proposed Plat Alteration with the addition of the following conditions:

- a. *The road between the Storie Lane cul de sac and the bridge, and the bridge shall be verified as being constructed to County road standards by the County road engineer, and*
- b. *A turn around after the bridge shall be built to County road standards, and*

GROFF MURPHY, PLLC
300 EAST PINE STREET SEATTLE WASHINGTON 98122
(206) 628-9500 www.groffmurphy.com (206) 628-9506 FACSIMILE

- c. *The above described road, bridge, and turnaround shall remain open to the public.*

Pursuant to this condition, a portion of the Storie Lane extension will be built to County public road standards, and will be open to the public as a condition of the Little Creek Ranches Plat alteration, but it will not be a public road. Moreover, the Storie Lane extension that is to be open to public at this time and depicted on Figure 1 of your memo is inaccurate. Finding of Fact Number 8 clearly defines the area that will be built to public standards at this time and open to the public, and the area does not extend beyond the turn-around, which will be between the south side of the bridge and north of the north line of Section 33. Neither the entire Storie Lane extension beyond the turn around nor any other internal roads in Section 33 are intended to be open to the public at this time, nor are they being accepted as public roads at this time. Indeed, the County Public Works Department specifically opposed taking those roads onto the County road system at this time. As such, they remain private, and access over them is limited to existing easements, licenses or other access agreements.

The second part of the first paragraph of the draft memo states "this removes any limitations to access . . ." Based on the foregoing, that statement is also incorrect. The owner of parcel 20-14-28000-0007, Cooper Pass, LLC, has not granted an easement or otherwise agreed to ingress and egress across its property for any parcels, other than parcels 20-14-33000-0007, 20-14-33000-0009, and 20-14-33000-0017 (Beaver Creek Short Plat). These three parcels are the only three parcels that will have the legal right of ingress and egress across parcel 20-14-33000-0004. Until such time as Cooper Pass, LLC, owner of parcel 20-14-28000-0007, grants access to other parcels, or the right-of-way through its property becomes a public road, this access remains private and limited for the use of the parcels that have been granted legal access, as that property is south of the turn-around.

Paragraph two of your letter states "it can be assumed that *all* the lots within Section 33 will use the Storie Lane access." (emphasis added) This statement also cannot be true unless and until one of the following conditions is met:

- a) the county or the landowner(s) construct all remaining sections of right of way to meet agreed standards and the relevant portions become public roads, or,
- b) The owner of Parcel 20-14-28000-0007 grants legal access to those requesting said access.

Neither of those conditions is true today. Accordingly, Table 1/Figure 1 of your memo that purports to identify a large number of properties that have access to Storie Lane is completely inaccurate, as no legal easements or other access rights to Storie Lane exist for these properties or for additional recreational use.

Christina Wollman, Planner II
December 29, 2010
Page 3

As outlined above, paragraphs three and four of your draft memo are also incorrect. The three parcels identified above that actually have legal access across parcel 20-14-28000-0007 total a proposed lot count of 21.

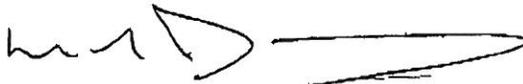
In light of the foregoing, it is clear that your assertion that a second access is required for the Beaver Creek Short Plat application is incorrect. Under Section 12.01.095(2) of the Kittitas County Code: "At least two ingress-egress routes which are interconnected are required for all roads that serve more than 40 lots."

Under the controlling standards, it is clear that the Beaver Creek Short Plat does not require a second access. On behalf of my client I therefore respectfully request that you revise your memo to Mr. Valoff to reflect the proper conclusion that a second access is not required for the Beaver Creek Short Plat. In addition, please modify the proposed conditions for the Beaver Creek Short Plat to reflect the actual conditions and the fact that no second access is required. Please forward me a copy of the modified memo and proposed conditions

Thank you for your attention to this matter.

Very truly yours,

GROFF MURPHY, PLLC

A handwritten signature in black ink, appearing to read "Michael J. Murphy". The signature is stylized with a large, sweeping flourish at the end.

Michael J. Murphy

MJM:br

cc: Neil Caulkins (via email)
Sean Northrop (via email)
Allison Kimball (via email)
Dave Blanchard (via email)

Dan Valoff

From: deidre link [linkdal@televar.com]
Sent: Monday, November 01, 2010 11:20 AM
To: Dan Valoff
Subject: RZ-10-0003 Tamarack Valley PL Comments

To Dan Valoff: Lead Planner
Community Development Services
Kittitas County

Deidre Link
560 Hawk Haven Rd. Cle Elum, WA 98922 (509)-674-2420
November 1, 2010

CDS
411 Ruby Street
Ellensburg, WA 98926

RE: RZ-10-0003 Tamarack Valley LP

To Whom It May Concern,

Thank you for this opportunity to comment on this proposed rezone.

Unless the county is using the domino approach to land use there is no need for further rezones in this area. Go look at the slicing and dicing already approved for this area of the county. Can you say, "Time for a cumulative review?" The offices of CDS can no longer use the criteria of adjacent parcels and say this will provide a varied number of building lots.

To say this proposal meets a public benefit by providing more building lots to meet projected population numbers for Kittitas County is ludicrous. The number needed was stated to be around 6,400. Through all the rezones, cluster plats, short plats, long plats, exempt segs, boundary line shuffles, every "tool" in a planner's box we have on the ground and ready over 6,500 lots.

There is no public benefit; there is no need for more building lots. We have a 2 year inventory of homes available in the county. Other than the applicant saying there is a need and public benefit – the very person most likely to benefit financially – CDS really needs to look at the benefit for the current population in the surrounding area and the rest of the county.

This request needs to be denied.

Regards,
Deidre Link

June 16, 2010

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

Re: Tamarack Valley Plat Rezone (LP-10-00003)

Dan,

Our residence is located on Storie Lane, off of Nelson Siding, Upper County. We are concerned about the above mentioned Rezone. We find this application to be untimely and a waste of Kittitas County staff and resources and should be denied for the following reasons:

1. Per the application Project Narrative item 10 when questioned -- "Are Forest Service Roads involved with accessing your development?" was answered "No". This is totally inaccurate since Sean Northrup's organizations have NOT COMPLIED with the "Little Creek Ranches Plat Alteration" requirements and hence does NOT HAVE ACCESS via Storie Lane. Currently, the ONLY LEGAL access to this Plat is via Forest Service Road 4517. Why waste the County's time and resources with inaccurate statements.
2. Per the County the "Little Creek Ranches Plat Alteration" requires a number of items be completed BEFORE this plat (or any other Sean Northrup plat south of the KRD canal e.g. Vista West) be granted access to Storie Lane by the County. These requirements have NOT BEEN MET at this time. Has Sean submitted a plan and time frame to comply with these requirements? Why waste the County's time and resources with inaccurate and incomplete applications?
3. One of the "Little Creek Ranches Plat Alteration" requirements is to provide a 100 foot diameter turn-around just south of the KRD canal which by my judgment MUST OCCUR in land currently in this application. That turn-around is NOT INCLUDED in the design of this application. My math indicates that a 100 foot diameter turn around will consume 10,000 sq ft or slightly under one quarter acre. The purpose of this rezone is to change from the original "Little Creek Platted" lots that were to be 20 acres minimum per lot to a Rural-3 zone. By my calculations, complying with the turn-around will effectively eliminate one of the six lots assuming that the Rural-3 zoning requires lots to be at least 3 acres. Does Sean think that the County will just "forgive" this turn-around requirement and allow all 6 lots? So why waste the County's time and resources with incomplete and inaccurate applications?
4. Realizing that water rights are not in the pervue of the County but we understand - there is no water available for mitigation for Sean's project(s). Why should the County proceed with this rezone project if the Sean cannot prove that potential buyers of these lots (or any other rezones on Sean's property, e.g. Vista West) will have access to water. Maybe Sean is starting a water tanker delivery business on the side. Once again, why waste the County's time and resources with incomplete and inaccurate applications?

Once again, Sean Northrup and team are attempting to confuse things. Our concerns about any of these applications and dealings with Sapphire Skies (and any of the numerous LLC "doing business as" Northrup companies) is the attempt to not follow the rules but rather to seek "forgiveness after the fact" instead of "permission in the first place". We are not opposed to Sean developing his properties. We are opposed to his firms not following the rules and processes like the rest of us do. We developed our lot and followed every rule, acquired every permit, met all requirements. Sapphire Skies seems to think that the County and the rest of us should "roll over" and let him have their way. Would the County let the rest of their Citizens try this methodology?

Thank you for this opportunity to express ourselves. Peace....

Respectfully submitted,
Bill and Liz Doyle
450 Storie Lane
Cle Elum, WA 98922

Dan Valoff

From: RUSSEL LINDA LIBBY [russcocacola@q.com]
Sent: Wednesday, October 27, 2010 10:14 AM
To: Dan Valoff
Subject: Tamarack Valley Rezone

Kittitas County Community Development

Dan Valoff, Staff Planner

Tamarack Valley Rezone RZ-10-00002 &
Long Plat LP-10-00003

October 26, 2010

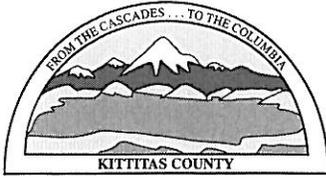
The proposed parcel of property requested, claims to be for 18.5 acres of Range & Forest, which is suppose to a minimum of 20 acres. And to change this to Rural-3, according to the USDA Custom Soil Resource report the Area of Interest is reporting only to have 17.9 acres. (This report was submitted to CDS on August 25, 2010)

A cul-de-sac with a 110-foot diameter right-of-way at the south side of KRD canal is required for the Storie Lane bridge to be opened. This right-of-way would cut into proposed lots #1 & #3. making them less than 3-acres. (This is from a letter sent to Sean Northrup, by Douglas D'Hondt, County Engineer on September 8, 2010)

This project is to be served by a Group B well, where are they going to get this water? Do they have water rights for this proposal?

Therefore, we are opposed to Tamarack Valley Rezone and Long Plat (RZ-10-00002 & LP-10-00003).

Russel & Linda Libby
350 Storie Lane
Cle Elum



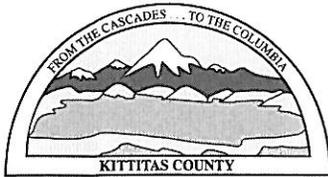
KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

Kirk Holmes, Director

MEMORANDUM

TO: Dan Valoff, CDS
FROM: Christina Wollman *cw*
DATE: February 8, 2011
SUBJECT: Beaver Creek SP-10-00014
Tamarack Valley Plat LP-10-00003
Aspen Grove Plat LP-10-00004

Based on clarified information received by Public Works, the requirements for the Beaver Creek SP-10-00014, Tamarack Valley Plat LP-10-00003, Aspen Grove Plat LP-10-00004 have been revised. The projects are not required to construct a second access route at this time. Any future subdivisions or reassignment of access to existing subdivisions or parcels will require additional review and may require the construction of a second access.



KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Dan Valoff, Community Development Services

FROM: Christina Wollman, Planner II *CW*

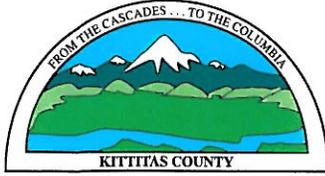
DATE: February 2, 2011

SUBJECT: Tamarack Valley Plat LP-10-00003

The following shall be conditions of preliminary approval:

1. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the structures within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
2. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed or the road construction to be bonded for prior to the issuance of a building permit for any of the structures within the proposed plat.
3. Cul-de-Sac Right of Way: Right of way shall be dedicated to Kittitas County for a cul-de-sac in a location approved by the County Engineer, as required by the Little Creek Ranches Plat Alteration LP-10-00001. The right of way shall have a radius of at least 55'.
4. Required Prior to Final: All requirements of the Little Creek Ranches Plat Alteration LP-10-00001 shall be completed prior to receiving final approval for this plat.
5. Road Names: All roads shall be labeled on the plat.
6. Private Road Improvements: Access from the end of the County road to a turnaround at or beyond the final lot access shall be constructed to meet or exceed the conditions of a High-Density Private Road that serves 15-40 tax parcels. See current Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 22', with 1' shoulders, for a total width of 24'.
 - b. Minimum centerline radius shall be 60'.
 - c. Surface requirement BST/ACP.

- d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.
7. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements. A hammerhead may be constructed with approval of the Fire Marshal.
 8. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
 9. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
 10. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
 11. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
 12. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
 13. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.



KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

Kirk Holmes, Director

MEMORANDUM

TO: Dan Valoff, CDS
FROM: Christina Wollman, Planner II 
DATE: December 13, 2010
SUBJECT: Tamarack Valley Plat LP-10-00003
Beaver Creek Short Plat SP-10-00014
Aspen Grove Plat LP-10-00004

With the approval of the Little Creek Ranches Plat Alteration LP-10-00001, the Board of County Commissioners decided that the extension of Storie Lane and Misty Mountain Way west to Forest Service 4517 Road should be a public road. This removes any limitations to the use of the road and opens the use of the road to all lot owners along Misty Mountain Way, FS 4517 Road, and the public.

Although the exact number of lots planning to use Storie Lane as primary access is not known, it can be assumed that all lots within Section 33 will use Storie Lane. This assumption is based on a long history of potential and current lot owners calling Public Works to inquire about the use of the bridge over the canal. Many of the owners of the 97 lots within Granite Creek, numerous other lots accessed along FS 4517 Road, and recreationists will be able to use the Storie Lane access as well.

The applicant states that only 40 lots will use the Story Lane access; however, using the same counting methodology as the applicant, County records indicate there are 42 lots (Table 1; Figure 1). All 42 lots are located on the eastern side of Little Creek. To the west of Little Creek are two 4-lot short plats with preliminary approval. The short plats originally designated Storie Lane as their access, but when the Little Creek Ranches Plat Amendment P-05-11 was denied the applicant requested the short plats be approved with a condition stating that access may be from either Storie Lane or Fowler Creek Road. The letter also states "I also request that if and when primary access is made available from Storie Lane, an alteration or amendment to the short plat will not be required..." In addition to the plats proposed by Sapphire Skies, there is a proposed 7-lot plat to the east of Little Creek. This plat also requested a similar condition.

The 42 lots along with the 7 additional lots proposed east of Little Creek, the 8 lots with preliminary approval and the 5 undeveloped lots within Section 33 total 62 lots.

Therefore, a second access will be required of the Tamarack Valley Plat LP-10-00003, Beaver Creek Short Plat SP-10-00014 and the Aspen Grove Plat LP-10-00004 based on KCC 12.01.095(2)

April 2, 2007 BOCC Clarification. The second access route shall be identified prior to receiving Conditional Preliminary Approval.

KCRS 12.01.095(2) April 2, 2007 BOCC Clarification – Second Ingress-Egress:

All roads that serve more than 40 lots are required to have two interconnected ingress-egress routes that independently connect to an on-system county road.

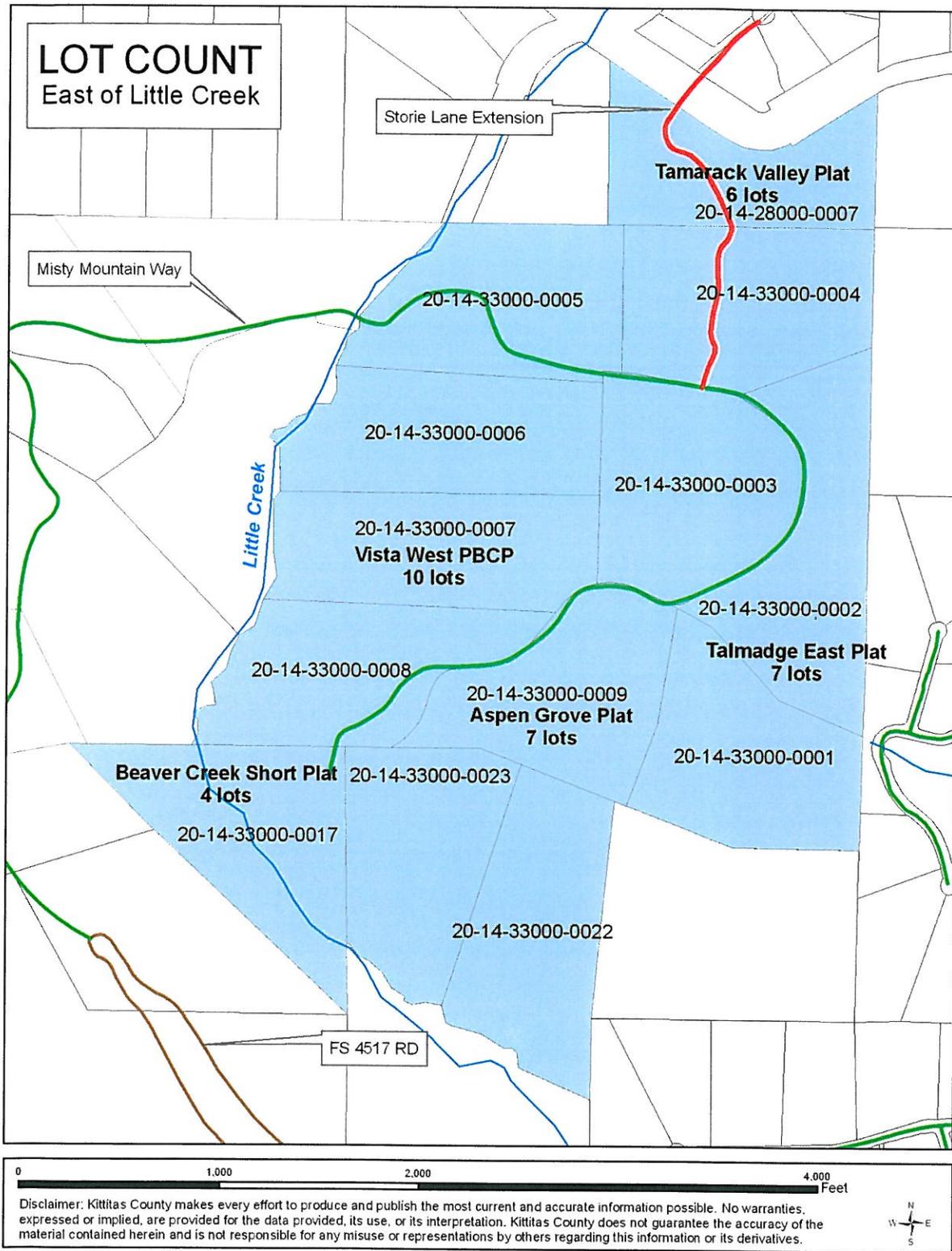
If the second access is restricted to emergency access only, it must meet or exceed the following requirements: 60' easement, 20' roadway width, BST/ACP surface, and a paved apron. Access restrictions such as gates or bollards must be approved by the Fire Marshall.

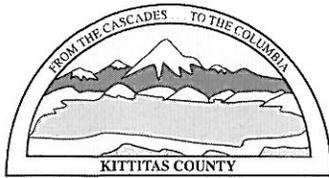
If the second access is to be used for ingress and egress, it must meet the same standards of the first access.

Table 1

Map Number	Plat Name	Lots
20-14-28000-0007	Tamarack Valley Plat	6
20-14-33000-0001		1
20-14-33000-0002	Talmadge East Plat	7
20-14-33000-0003		1
20-14-33000-0004		1
20-14-33000-0005		1
20-14-33000-0006		1
20-14-33000-0007	Vista West Plat	10
20-14-33000-0008		1
20-14-33000-0009	Aspen Grove Plat	7
20-14-33000-0017	Beaver Creek Short Plat	4
20-14-33000-0022		1
20-14-33000-0023		1
	TOTAL	42

Figure 1





KITTITAS COUNTY

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Dan Valoff, Community Development Services

FROM: Christina Wollman, Planner II

DATE: October 4, 2010 *W*

SUBJECT: Tamarack Valley Plat LP-10-00003

The following shall be conditions of preliminary approval:

1. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the structures within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
2. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed or the road construction to be bonded for prior to the issuance of a building permit for any of the structures within the proposed plat.
3. Cul-de-Sac Right of Way: Right of way shall be dedicated to Kittitas County for a cul-de-sac in a location approved by the County Engineer, as required by the Little Creek Ranches Plat Alteration LP-10-00001. The right of way shall have a radius of 55'.
4. Road Names: All roads shall be labeled on the plat.
5. Private Road Improvements: Access from the end of the County road to a turnaround at or beyond the final lot access shall be constructed to meet or exceed the conditions of a High-Density Private Road that serves 15-40 tax parcels. See current Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 22', with 1' shoulders, for a total width of 24'.
 - b. Minimum centerline radius shall be 60'.
 - c. Surface requirement BST/ACP.
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.

Page 1 of 2

- g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection with a county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right-of-way.
6. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2009 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements. A hammerhead may be constructed with approval of the Fire Marshal.
 7. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
 8. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
 9. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
 10. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
 11. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
 12. Mailbox Placement: The U.S. Postal Service requires that private roads with 6 or more residences install USPS approved Cluster Box Units (CBUs) at a safe location at the mouth of the private road. Contact your local Post Office for location and additional design requirements before beginning construction.



KITITAS COUNTY FIRE MARSHAL'S OFFICE

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

Office (509) 962-7657 Fax (509) 962-7682

December 1, 2010

Dan Valoff
Staff Planner II
Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Re: AMENDED COMMENTS
Tamarack Valley Rezone and Long Plat (RZ10-00002 & LP-10-00003)

Dear Mr. Valoff:

Upon review of the above mentioned land use action, I have the following comments/requirements;

- Approved water storage with a private fire hydrant system shall be installed. The hydrant system shall be subject to plan review through the Fire Marshal's Office and shall be subject to an annual Operational Permit.
- Water storage and hydrant spacing shall comply with the International Fire Code.
- The minimum fire flow requirements for the residential structures shall be no less than 1,000 gpm for a duration of no less than 30 minutes. A reduction in fire flow of 50% is allowed when buildings are provided with an automatic sprinkler system.
- No fire apparatus access lane shall have a slope greater than 12%. A Variance Permit will be required for any slopes or grades greater than allowed by County Code.
- "No Parking-Fire Lane" signs must be posted per Fire Marshal requirements on all cul-de-sacs.
- Secondary access is required, or each residence accessed off of the single access road shall be required to have sprinkler protection as required by the County Fire Marshal's Office, with all associated permits issued. The sprinkler requirement shall be noted as a plat note on the final plat.
- All bridges shall be required to be certified.
- All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire and Building Codes.
- A separate permit is required for any private water storage or hydrant system.
- Review of the final project submittals may include further requirements.

Any questions or concerns regarding fire service features may be directed to the Kittitas County Fire Marshal's Office at (509) 962-7000.

Sincerely,


Brenda Larsen
Fire Marshal



KITTITAS COUNTY FIRE MARSHAL'S OFFICE

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

Office (509) 962-7657 Fax (509) 962-7682

October 20, 2010

Dan Valoff
Staff Planner II
Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Re: Tamarack Valley Rezone and Long Plat (RZ10-00002 & LP-10-00003)

Dear Mr. Valoff:

Upon review of the above mentioned land use action, I have the following comments/requirements;

- Approved water storage with a private fire hydrant system shall be installed. The hydrant system shall be subject to plan review through the Fire Marshal's Office and shall be subject to an annual Operational Permit.
- Water storage and hydrant spacing shall comply with the International Fire Code.
- The minimum fire flow requirements for the residential structures shall be no less than 1,000 gpm for a duration of no less than 30 minutes. A reduction in fire flow of 50% is allowed when buildings are provided with an automatic sprinkler system.
- No fire apparatus access lane shall have a slope greater than 12%. A Variance Permit will be required for any slopes or grades greater than allowed by County Code.
- "No Parking-Fire Lane" signs must be posted per Fire Marshal requirements on all cul-de-sacs.
- Secondary access is required.
- All bridges and gates across any private road shall be required to be permitted and certified.
- All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2009 International Fire and Building Codes.
- A separate permit is required for any private water storage or hydrant system.
- Review of the final project submittals may include further requirements.

Any questions or concerns regarding fire service features may be directed to the Kittitas County Fire Marshal's Office at (509) 962-7000.

Sincerely,

Brenda Larsen
Fire Marshal



To Protect and Promote the Health and the Environment of the People of Kittitas County

September 24th 2010

Dan Valoff, Staff Planner
Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, WA 98926

RE: Tamarack Valley Plat LP-10-00003

Dear Mr. Valoff,

Thank you for the opportunity to comment on the Tamarack Valley Plat, LP-10-00011.

Plat Note Statement:

The final plat notes shall include the following statement:

"The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law. "

AND in Upper Kittitas County Only (as defined in 173-539A WAC):

"Metering will be required on all new residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."

Adequate Potable Water Supply Statement:

The Public Health Department's recommendation shall state that final approval be conditioned upon the developer/owner of the plat providing proof of potable water. Proof of potable water can be provided through several different ways depending on the source of water proposed as described and outlined in the Board of County Commissioners Resolution 2010-082.

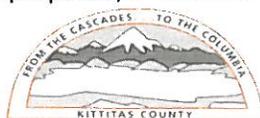
For preliminary plat approval, applicants for subdivisions (short plats and long plats) in Kittitas Count shall include the type of water system proposed in order to acquire preliminary approval.

Final approval will be conditioned upon the type of water system proposed.

- If application states that residences will utilize Individual Wells/2-party Shared Well:

Applicants shall submit a well log(s) from a well located within the subdivision of land. If a well log does not exist, a four (4) hour well draw down test shall be provided prior to recommendation by KCPHD for final plat approval. If shared wells are proposed, a recorded shared well user's agreement is required for

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F:509.962.7581



www.co.kittitas.wa.us/health/

Environmental
Health Services
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F:509.962.7581

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each proposed parcel. If the proposed subdivision does not have an existing well within the boundaries, a hydrogeological report with documentation/evidence to support a claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted prior to recommendation for final plat approval. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed hydrogeologist.

- **If application states that residences will utilize a Group B Public Water System:**

Applicants shall have a well site inspection performed by KCPHD staff; complete and submit a Group B Public Water System Workbook to either KCPHD for water systems with 3-9 connections or Washington State Department of Health (DOH) for water systems with 10-14 connections or as amended by DOH; have the well(s) drilled; and submit a copy of an agreement with an approved Kittitas County Satellite Management Agency. All infrastructure for the Group B Water System including the well/pump house and storage tanks must be completed or the developer/owner can bond or completion. Final approval of the Group B Public Water System including issuance of the public water system ID number from DOH is required prior to recommendation by KCPHD for final approval. If a bond is in place, final approval will still be recommended but all infrastructure must be completed before issuance of the first building permit within the subdivision.

- **If application states that residences will utilize a Group A Public Water System:**

Applicants shall submit a signed letter of agreement between the public water system purveyor or official and the land developer/owner granting delivery of potable water for the entire development. If the public water system is being developed specifically for the subdivision/plat, the water system must be approved by Washington State Department of Health (DOH), including issuance of a public water system ID number, prior to recommendation by KCPHD for final plat approval.

Septic Availability Statement:

The Public Health Department's recommendation shall state that preliminary approval be conditioned upon the developer/owner of the plat providing satisfactory sewage disposal. Satisfactory sewage disposal can be provided through several different ways depending on the source of disposal proposed.

If application states that residences will be connected to public sewer system:

In order to recommend approval, The Public Health Department will need a signed letter from the sewer district stating that the proposed project's connection will be allowed.

If on-site sewage systems are proposed for the plat and minimum lot sizes are satisfied:

Soil logs must be preformed prior to the Public Health Department recommending preliminary approval of the plat application. Once the soil logs are conducted and approved by the Public Health Department, the requirement for septic availability will have been satisfied.

Review of the Application File:

At this point in time this application does not contain sufficient information to make a determination that: 1) there is an adequate potable water supply available and 2) that the land area is suitable for onsite sewage systems. The above mentioned requirements need to be satisfied and the appropriate documentation needs to

be submitted to the Public Health Department for review and approval in order for the plat application to be recommended for final approval.

If you should have any questions or comments, please feel free to contact me at (509) 962-7515.

Sincerely,

James Rivard

Digitally signed by James Rivard
DN: cn=James Rivard, o=Kittitas County Public
Health, ou=Environmental Health,
email=james.rivard@co.kittitas.wa.us, c=US
Date: 2010.09.24 15:37:44 -07'00'

James Rivard,
Environmental Health Supervisor,
Interim Co- Administrator Kittitas County Public Health



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

November 17, 2010

Mr. Dan Valoff
Staff Planner
Kittitas County Community Development Services
411 N. Ruby Street Suite 2
Ellensburg, Washington 98296

RE: Proposed re-zone and preliminary plat for Number 5 Canyon PUD (RZ-09-00001) and Tamarack Valley (RZ-10-00002 LP-10-00003)

Dear Mr. Valoff:

Thank you for sending the Washington State Department of Commerce the proposed rezones and plat notice of applications that we received on October 6, 2010. We recognize and appreciate the substantial investment of time, energy, and resources that your consideration of these proposals represents. We also commend Kittitas County for its recent compliance efforts regarding Eastern Washington Growth Management Hearings Board (EWGMHB) Case No. 07-1-0004c *Kittitas County Conservation et al., v Kittitas County*.

We bring to your attention the following statutory goals and requirements of the GMA (36.70A RCW), WAC 365-190 and WAC 365-196 as they relate to the Number 5 Canyon PUD which proposes to rezone approximately 296 acres of Rural-3 land to a planned unit development (PUD), developed in phases, for a final build-out of approximately 1000 residential units together with neighborhood commercial development, and with respect to Tamarack Valley, which proposes a rezone of approximately 18.6 acres from Forest and Range land to Rural-3 with 6 single family residences.

- Planning goals RCW 36.70A.020(1) and (2) provide clear guidance for counties and cities to encourage urban growth in urban growth areas where adequate public services exist or can be provided in an efficient manner as well as to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development. We recommend the county examine how an urban-like PUD, proposing to be located in your rural area, rather than being developed in an existing urban growth area (UGA), is consistent with the statutory direction of RCW 36.70A.020(1) and (2).
- RCW 36.70A.030 defines "Rural Development" as development outside the UGA and outside agricultural, forest, and mineral resource lands, and consisting of a variety of uses and residential densities consistent with the preservation of rural character. RCW 36.70A.030(15) defines "Rural Character" as patterns of land use and development established by a county in the Rural Element of its comprehensive plan in which open space, the natural landscape, and vegetation predominate over the built environment. In addition, rural character fosters traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas. Rural character provides visual landscapes found in rural areas and communities, is compatible with use of the land by wildlife and for fish and

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wildlife habitat, reduces the inappropriate conversion of undeveloped land into sprawling, low-density development, generally does not require extension of urban governmental services, and protects the natural surface water flows and groundwater and surface water recharge and discharge areas. These statutory goals are also clearly articulated in the Kittitas County Comprehensive Plan, *Chapter 8. Rural Lands*. Again, the statutes as well as the Kittitas County Comprehensive Plan *Chapter 8. Rural Lands*, do not support a PUD with a potential build-out of 1000 residential units and commercial neighborhood uses on 296 rural acres as rural development with rural character.

- RCW 36.70A.110(1) states that urban growth areas are to be designated for urban growth and outside of which growth can occur only if it is not urban in nature. RCW 36.70A.070(5)(a) requires a written record of how the Rural Element harmonizes the planning goals of RCW 36.70A.020 with respect to a proposed PUD with approximately 1000 residential units at full build-out together with neighborhood commercial uses.
- RCW 36.70A.070(5)(c) requires measures to be established by the county to contain or control rural development, assuring visual compatibility with the surrounding rural area, reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area, protection of critical areas and the conflicts with the use of agricultural, forest, and mineral lands designated under RCW 36.70A.170. We suggest that the county reconsider whether use of its existing PUD ordinance meets the required measures to contain or control rural development.
- In addition to the above statutes, WAC 365-196-425(5) does not support the county's use of a PUD ordinance in the rural area to permit 1000 residential units with neighborhood commercial uses. WAC 365-196-425(5) provides the following guidance which we recommend the county utilize to guide development in its rural area:

(a) Innovative zoning techniques allow greater flexibility in rural development regulations to create forms of development that are more consistent with rural character than forms of development generated by conventional large lot zoning. Innovative zoning techniques may allow forms of rural development that:

(i) Result in rural development that is more visually compatible with the surrounding rural areas;

(ii) Maximize the availability of rural land for either resource use or wildlife habitat;

(iii) Increase the operational compatibility of the rural development with use of the land for resource production;

(iv) Decrease the impact of the rural development on the surrounding ecosystem;

(v) Does not allow urban growth; and

(vi) Does not require the extension of urban governmental services.

(b) Rural clusters. One common form of innovative zoning technique is the rural cluster. A rural cluster can create smaller individual lots than would normally be allowed in exchange for open space that preserves a significant portion of the original parcel.

(i) When calculating the density of development for zoning purposes, counties should calculate density based on the number of dwelling units over the entire development parcel, rather than the size of the individual lots created.

(ii) The open space portion of the original parcel should be held by an easement for open space or resource use. This should be held in perpetuity, without an expiration date.

(iii) If a county allows bonus densities in a rural cluster, the resulting density after applying the bonus must be a rural density.

(iv) Rural clusters may not create a pattern of development that relies on or requires urban governmental services. Counties should establish a limit on the size of the residential cluster so that a cluster does not constitute urban growth in a rural area. A very large project may create multiple smaller clusters that are separated from each other and use a different access point to avoid creating a pattern of development that would constitute urban growth.

(v) Development regulations governing rural clusters should include design criteria that preserve rural visual character.

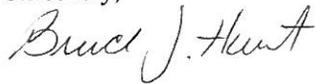
- In regard to the county anticipating it will accept a SEPA Checklist and issue a determination of non-significance (DNS) for this PUD and plat that proposes approximately 1000 residential units at full build out together with neighborhood commercial uses, Commerce does not support this minimal level of environmental analysis and determination, when the potential motor vehicle use alone could conceivably generate 10,000 trips per day, notwithstanding the need to appropriately analyze the availability of adequate drinking water, wastewater services, potential impacts to critical areas and resource lands, and potential impacts to the City of Roslyn. An environmental impact statement would be recommended if this proposal is found consistent with all of the above RCW statutes and WAC guidance.
- In regard to Tamarack Valley and the conversion of approximately 18.6 acres of Forest Land to Rural-3 with 6 residential units, we recommend the county consider WAC 365-190-040(10)(11)(12) as follows:
 - (a) Land use planning is a dynamic process. Designation procedures should provide a rational and predictable basis for accommodating change.*
 - (b) Reviewing natural resource lands designation. In classifying and designating natural resource lands, counties must approach the effort as a county-wide or regional process. Counties and cities should not review natural resource lands designations solely on a parcel by parcel process. Designation amendments should be based on consistency with one or more of the following criteria:*
 - (i) A change in circumstances pertaining to the comprehensive plan or public policy related to designation criteria in WAC 365 190 050(3), 365 190 060(2), and 365 190 070(3);*
 - (ii) A change in circumstances to the subject property, which is beyond the control of the landowner and is related to designation criteria in WAC 365 190 050(3), 365 190 060(2), and 365 190 070(3);*
 - (iii) An error in designation or failure to designate;*
 - (iv) New information on natural resource land or critical area status related to the designation criteria in WAC 365 190 050(3), 365 190 060(2), and 365 190 070(3); or*
 - (v) A change in population growth rates, or consumption rates, especially of mineral resources.*
- (11) Use of innovative land use management techniques.
 - (a) Natural resource uses have preferred and primary status in designated natural resource lands. Counties and cities must determine if and to what extent other uses will be allowed. If other uses are allowed, counties and cities should consider using innovative land management techniques that minimize land use incompatibilities and most effectively maintain current and future natural resource lands.*
 - (b) Techniques to conserve and protect agricultural, forest lands, and mineral resource lands include the purchase or transfer of development rights, fee simple purchase of the land, less than fee simple purchase, purchase with leaseback, buffering, land trades, conservation easements, current use assessments, innovative zoning, or other innovations which maintain current uses and assure the conservation of these natural resource lands.*

Mr. Dan Valoff
November, 17 2010
Page 4

- *(12) Development in and adjacent to agricultural, forest, and mineral resource lands shall assure the continued management of these lands for natural resource production. Uses that would convert natural resource lands to other uses or would interfere with the allowed natural resource uses must be prohibited except as authorized in accessory uses under RCW 36.70A.177 or other applicable statutes. Any uses adjacent to agricultural, forest, and mineral resource lands of long-term commercial significance must not interfere with their continued use for the production of agricultural, forest, or mineral products respectively. Counties and cities should consider the adoption of right to farm provisions, and may also adopt measures to conserve and enhance marine aquaculture. Covenants or easements recognizing that farming, forestry, and mining activities will occur should be imposed on new development in or adjacent to agricultural, forest, or mineral resource lands. Where buffering is used it should be on land within the adjacent development unless an alternative is mutually agreed on by adjacent landowners.*

If you have any questions or concerns about our comments or any other growth management issues, please call me at 509.280.3602. We extend our continued support to Kittitas County in achieving the goals of growth management.

Sincerely,



Bruce Hunt
Senior Planner
Growth Management Services

BJH:lw

cc: Kirk Holmes, Interim Director, Kittitas County Community Development Services
Leonard Bauer, AICP, Managing Director, Growth Management Services
David Andersen, AICP, Plan Review and Technical Assistance Manager, Growth Management Services



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE

128 - 10th Avenue SW • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000

October 14, 2010

Dan Valoff
Staff Planner
Kittitas County Community Development Services
411 North Ruby Street Suite 2
Ellensburg, Washington 98296

Dear Mr. Valoff:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

County of Kittitas - Proposed Rezones: (1) Number 5 Canyon PUD Rezone and Long Plat (RZ-09-00001); and (2) Tamarack Valley Rezone and Long Plat (RZ-10-00002 & LP-10-00003). These materials were received on October 06, 2010 and processed with the Material ID # 16224.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please call me at 360.725.3045.

Sincerely,

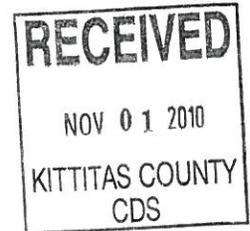
Linda Weyl
for

Joyce Phillips
Growth Management Planner
Growth Management Services



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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



October 29, 2010

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

Re: RZ-10-00002/LP-10-00003

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Tamarack Valley rezone of 18.5 acres from Forest & Range to Rural 3. The proposed project also includes the subdivision into 6 single-family residential lots, proposed by Cooper Pass, LLC. We have reviewed the documents and have the following comments.

Shorelands/Environmental Assistance

Aerial photo and topographic map review of the proposed lots 1, 3 and 4 show small openings in the forest that are not far from drainage features in the topography. It is not clear whether the cedar and alder plant communities that are referenced in the SEPA document are located in these open areas. The lots should be checked for the presence of wetlands in areas where cedars and alders are located. A soil report for the site stated that the two site soil series typically have water table levels at more than 6 feet deep with good drainage. However, there was no mention of soil inclusion characteristic possibilities of the soil series. Areas near Little Creek are likely to have a shallower water table close to the surface.

Ecology employees have reported seeing cattails and drainage channels on site when they have done field review on site. These areas should be clearly shown on site maps. Wet areas on site with cedars and alders or other water-loving plants should be delineated for the presence of wetlands, and appropriate buffers to protect wetland function should be included in development

Mr. Valoff
October 29, 2010
Page 2

design. Ecology would be happy to assist with an initial wetland verification or to assist in wetland delineation report review.

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

Because of the size and scope of this proposed project, an Individual – NPDES Construction Stormwater Permit may be needed.

If you have any questions or would like to respond to these Water Quality comments, please contact Lynda Jamison at (509) 575-2434.

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, this includes permit exempt uses as described in RCW 90.44.050, 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, 2009, 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 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 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.

Mr. Valoff
October 29, 2010
Page 3

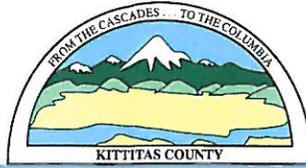
If you have any questions or would like to respond to these Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

Sincerely,



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

1087



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

NOTICE OF APPLICATION

Notice of Application: September 30, 2010
Application Received: August 25, 2010
Application Complete: September 17, 2010

Project Name (File Number): Tamarack Valley Rezone and Long Plat (RZ-10-00002 & LP-10-00003)
Applicant: Brookside Consulting, agent for property owner Cooper Pass LLC.

Location: One tax parcel, located north of Misty Mountain Way and south of Storie Lane, Cle Elum, WA in a portion of Section 28, T20N, R14E, WM, in Kittitas County. Assessor's map number: 20-14-28000-0007

Proposal: Brookside Consulting, agent for property owner Cooper Pass LLC has submitted Rezone and Preliminary Plat applications to rezone 18.5 acres of Forest and Range land into Rural-3 and subdivide the same land into 6 single-family residential lots. The project would be served by a Group B water system and individual onsite septic systems.

Materials Available for Review: The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at <http://www.co.kittitas.wa.us/cds/current/>. Phone: (509) 962-7506.

Written Comments on this proposal can be submitted to CDS any time prior to **5:00 p.m. on November 1, 2010**. Any person has the right to comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made. Appeal procedures can vary according to the type of decision being appealed, and are described in Kittitas County Code, Title 15A.

Environmental Review (SEPA): The County expects to issue a Determination of Non-Significance (DNS) for this proposal, and will use the optional DNS process, meaning this may be the only opportunity for the public to comment on the environmental impacts of the proposal. Mitigation measures may be required under applicable codes, such as Title 17 Zoning, Title 16 Subdivisions, and the Fire Code, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. A copy of the threshold determination may be obtained from the County.

Public Hearing: An open record hearing will be scheduled before the Kittitas County Hearing Examiner after the SEPA environmental threshold determination has been issued. A Public Hearing Notice will be issued establishing the date, time and location of this hearing.

Designated Permit Coordinator (staff contact): Dan Valoff, Staff Planner, (509) 962-7506.

NOTICE OF APPLICATION

Project Name (File Number): Tamarack Valley Rezone and Long Plat (RZ-10-00002 & LP-10-00003)

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Designated Permit Coordinator (staff contact): Dan Valoff, Staff Planner, (509) 962-7506.

Date of this Notice:	September 28, 2010
Application Received:	August 25, 2010
Application Complete:	September 17, 2010

Publish Date:	September 30, 2010 in <i>Daily Record</i> and <i>Northern Kittitas County Tribune</i>
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DAILY RECORD
AD AUTHORIZATION

Salesperson: KATHY ADAMS

Printed at 09/28/10 12:21 by \$LOGIN

Acct#: 84329 Ad#: 311396 Status: N
KITTITAS COUNTY COMMUNITY Start: 09/30/10 Stop: 09/30/10
411 N. RUBY ST, SUITE 2 Times Ord: 1 Times Run: ****
ELLENSBURG WA 98926 STD6 1.00 X 13.55 Words: 400
Contact: Rate: LEG2 Cost: 112.29
Phone: (509)962-7506 Class: 0001 LEGAL NOTICES
Fax#: Descript: BROOKSIDE CONSULTING
Email: dan.valoff@co.kittitas.wa.us Given by: *
Agency: Created: cad18 09/28/10 12:07
Last Changed: cad18 09/28/10 12:21

PUB	ZONE	ED	TP	START	INS	STOP	SMTWTF
DR	A	97	S	09/30			
IN	A	97	S	09/30			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

Quote from Daily Record/Kittitas County Publishing (509) 925-1414
This ad will run as quoted unless cancellation is received. Please contact

(AD COPY ON NEXT PAGE)

DAILY RECORD
AD AUTHORIZATION
(CONTINUED)

Salesperson: KATHY ADAMS

Printed at 09/28/10 12:21 by \$LOGIN

Acct#: 84329

Ad#: 311396 Status: N

**NOTICE OF
APPLICATION**

Project Name (File Number):
Tamarack Valley Rezone and
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Applicant: Brookside Consult-
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Cooper Pass LLC

Location: One tax parcel locat-
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map number: 20-14-28000-
0007

Proposal: Brookside Consult-
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Cooper Pass LLC has submit-
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systems.

Materials Available for

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application and related filed
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by the public at the Kittitas
County Community Develop-
ment Services (CDS) office at
411 N. Ruby, Suite 2, Ellens-
burg, Washington, 98928, or
on the CDS website at
[http://www.co.kittitas.wa.us/cd-
s/current/](http://www.co.kittitas.wa.us/cd-
s/current/). Phone: (509) 962-
7506.

Written Comments on this
proposal can be submitted to
CDS any time prior to 5:00
p.m. on November 1, 2010.
Any person has the right to
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pate in any hearings, and
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Environmental Review

(SEPA): The County expects
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whether an EIS is prepared. A
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nation may be obtained from
the County.

Public Hearing: An open
record hearing will be sched-
uled before the Kittitas County
Hearing Examiner after the
SEPA environmental threshold
determination has been
issued. A Public Hearing
Notice will be issued establish-
ing the date, time and location
of this hearing.

**Designated Permit Coordina-
tor (staff contact):** Dan
Valoff, Staff Planner, (509)
962-7506.

Date of this Notice:
September 28, 2010
Application Received:
August 25, 2010
Application Complete:
September 17, 2010

Publish Date:
September 30, 2010 in Daily
Record and Northern Kittitas
County Tribune



KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTTAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682

"Building Partnerships - Building Communities"

AFFIDAVIT OF POSTING

Effective July 19, 2007, Kittitas County Code requires all project actions that are not processed administratively to have a notice posted at the site of the project. Per KCC 15A.03.110 the following applies:

1. The applicant shall post the subject property with signs as required by Community Development Services.
2. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
3. Signs shall be posted and on-site prior to the issuance of a Notice of Application.
4. The sign shall be posted in a sturdy manner to remain on-site until fifteen days after the expiration of the Notice of Decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
5. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
6. It shall be the responsibility of the applicant to place the structure on which the sign will be posted on site. At such time the structure and sign is in place, the applicant shall contact Community Development Services.

DATE: September 21, 2010	PLANNER: Dan Valoff
PROJECT NAME: Tamarack Valley Long Plat & Rezone	FILE NUMBER: LP-10-03 & RZ-10-02

PLEASE COMPLETE THE FOLLOWING:

I, Allison Kimball, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Kittitas County Code. I understand that the required posting period begins immediately and ends 15 days after the ending of the appeal period on the Notice of Decision and the sign(s) will be posted at the site until this time. **Failure to post the site and return this form to Community Development Services in a timely manner will result in a delay of the application review for the project.**

Allison Kimball
Signature

09-23-10
Date

Please return the above certification to CDS; Fax at 509-962-7682; or mail to; Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.

For Staff Use Only:
Received _____



KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships - Building Communities"

September 17, 2010

Allison Kimball
Brookside Consulting
P.O. Box 1036
Cle Elum WA 98922

RE: Tamarack Valley Rezone and Long Plat Application (RZ-10-00002 and LP-10-00003)

Dear Ms. Kimball,

Your application received August 25, 2010 for a rezone and long plat of approximately 18.5 acres currently zoned Forest and Range has been received. The proposal would change zoning to Rural-3 in conjunction with a 6-lot subdivision. The property is located in a portion of Section 28, T20N, R14E, WM, in Kittitas County, Assessor's map number 20-14-28000-0007. This application has been deemed complete as of September 17, 2010.

Your application meets the requirements of KCC 16.12.010 for a complete application. The County may request additional information during review of you application. Continued processing of your application will include, but not be limited to the following actions:

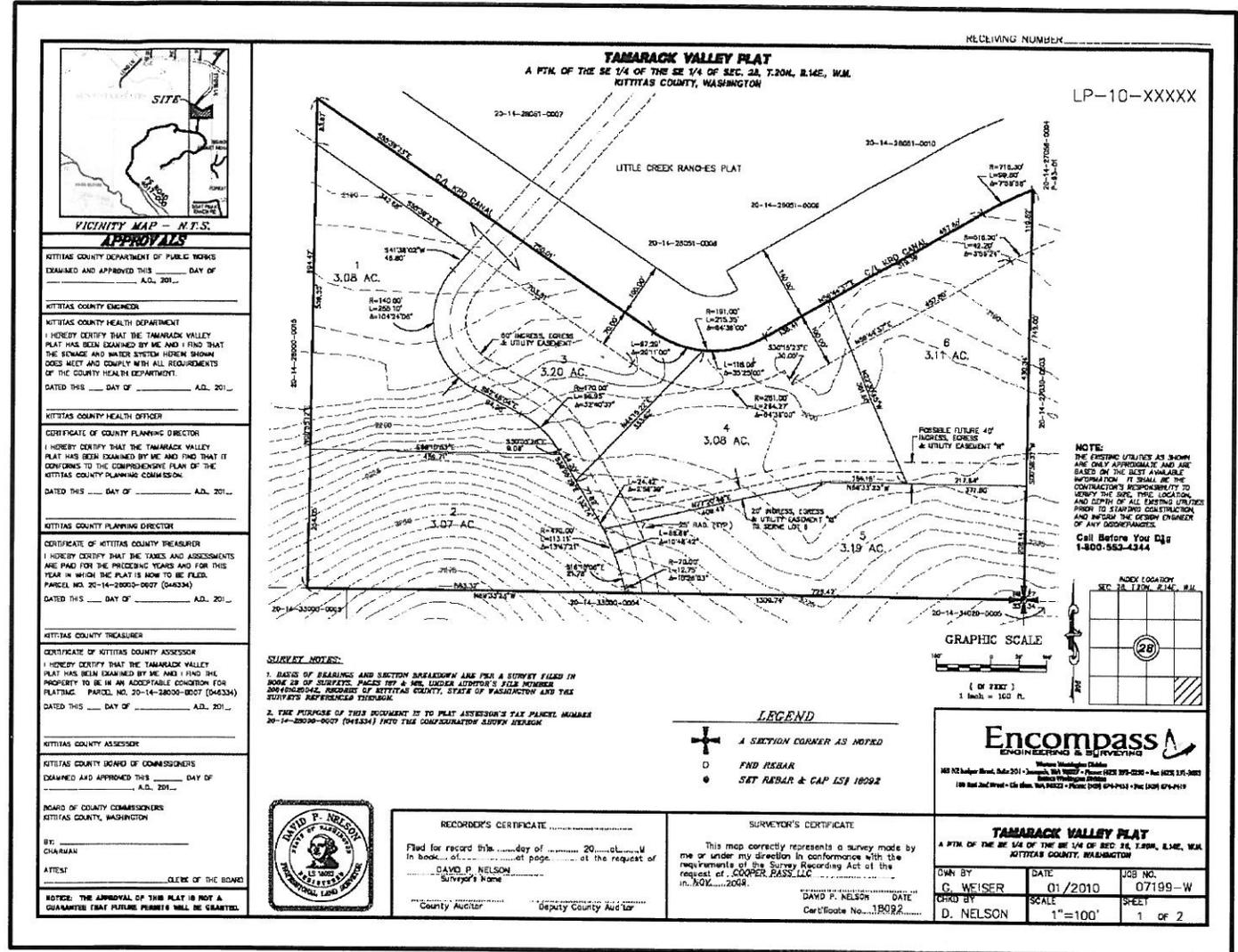
1. According to KCC 15A.030.060, a Notice of Application will be sent to the public (adjacent landowners), Kittitas County departments, and non-County governmental agencies inviting written comments on this proposal. Because this application includes a site-specific rezone, the public comment period will be 30 days, according to Chapter 15 Table A. **Note: Please contact Community Development Services for instructions for posting notice signs at the site as outlined in KCC 15A.03.110.**
2. Requests for clarification, amendments, or additional information will be sent to you following the public comment period.
3. The consideration of written comments from adjacent property owners and public agencies will be used to analyze environmental impacts and compliance with Kittitas County Code.
4. As requested by the County, additional materials and/or revised preliminary plat drawings may be required before this matter is brought before the Hearing Examiner.
5. An open-record hearing will be scheduled before the Kittitas County Hearing Examiner at a date to be determined, where both the rezone and the long plat will be considered.
6. Following the hearing, the Hearing Examiner will make a recommendation to the Board of County Commissioners. The Board of County Commissioners will consider the Hearing Examiner recommendation and make a final decision on the plat and rezone.

If you have any questions regarding this matter, please contact me at (206) 382-9540, or by e-mail kcote@gordonderr.com.

Sincerely,

Katie F. Cote
Contract Planner

TAMARACK VALLEY PLAT



OWNER

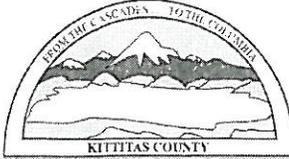
COOPER PASS LLC
206 W 1ST STREET
CLE ELUM WA 98922

PREPARED BY:

Encompass
ENGINEERING & SURVEYING

Western Washington Division
165 NE Juniper Street, Suite 201 • Issaquah, WA 98027 • Phone: (425) 392-0250 • Fax: (425) 391-3055
Eastern Washington Division
108 East 2nd Street • Cle Elum, WA 98922 • Phone: (509) 674-7433 • Fax: (509) 674-7419

11



KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

LONG PLAT APPLICATION

(To divide lot into 5 or more lots, per KCC Title 16)

LP-10-00003

A preapplication conference is encouraged for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

REQUIRED ATTACHMENTS

- Ten large copies of plat with all preliminary drawing requirements complete (reference KCC Title 16 Subdivision Code for plat drawing requirements) and one small 8.5" x 11" copy
- Address list of all landowners within 500 feet of the subject parcel(s). If adjoining parcels are owned by the applicant, then the 500 foot area shall extend from the farthest parcel. If the parcel is within a subdivision with a Homeowners' or Road Association, then please include the mailing address of the association.
- SEPA Checklist (Only required if your subdivision consists of 9 lots or more.
 - Please pick up a copy of the Checklist if required)
- Project Narrative responding to Questions 9-11 on the following pages.

(See Overview Section of Submittal Book)

OPTIONAL ATTACHMENTS

(Optional at preliminary submittal, but required at the time of final submittal)

- Certificate of Title (Title Report)
- Computer lot closures

APPLICATIONS FEES:

3,335.00 Kittitas County Community Development Services (KCCDS)
 602.00 Kittitas County Department of Public Works
 524.00 Kittitas County Fire Marshal
 625.00 Public Health Proportion (Additional fee of \$75/hour over 12.5 hours)

\$5,086.00 Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature):

DATE: 8/25/10

RECEIPT # _____

PAID
AUG 25 2010
KITTTAS CO.
CDS

DATE STAMP IN BOX

GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:

Landowner(s) signature(s) required on application form.

Name: Cooper Pass LLC
Mailing Address: 206 W 1st Street
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-674-6828
Email Address: _____

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Brookside Consulting
Mailing Address: PO Box 1036
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-859-3421
Email Address: brooksideconsulting@gmail.com

3. Name, mailing address and day phone of other contact person

If different than land owner or authorized agent.

Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

4. Street address of property:

Address: Storie Lane
City/State/ZIP: Cle Elum, WA 98922

5. Legal description of property (attach additional sheets as necessary):

A portion of the southeast quarter of the southeast quarter of Section 28, Township 20 North, Range 14 East, W.M., Kittitas County

6. Tax parcel number: 20-14-28000-0007 (046334)

7. Property size: 18.50 Assessor's Record 18.73 Survey (acres)

8. Land Use Information:

Zoning: Rural 3 (R-3) Comp Plan Land Use Designation: Rural

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

- 9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
- 10. **Are Forest Service roads/easements involved with accessing your development?** Yes **No** (Circle)
If yes, explain: _____
- 11. **What County maintained road(s) will the development be accessing from?**

AUTHORIZATION

- 12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

Date:

X Alvin Kumbull

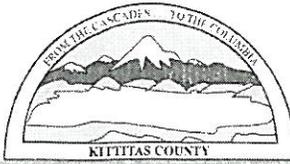
8/25/10

Signature of Land Owner of Record
(Required for application submittal):

Date:

X [Signature]

8/25/10



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTITAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682

"Building Partnerships – Building Communities"

RZ-10-00002

REZONE APPLICATION

(To change from the existing zone to another zone)

A preapplication conference is encouraged for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.

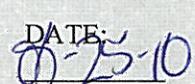
REQUIRED ATTACHMENTS

- Address list of all landowners within 500 feet of the subject parcel(s). If adjoining parcels are owned by the applicant, then the 500 foot area extends from the farthest parcel. If the parcel is within a subdivision with a Homeowners' or Road Association, then please include the mailing address of the association.
- Site plan of the property with all proposed buildings, points of access, roads, parking areas, septic tank, drainfield, drainfield replacement area, areas to be cut and/or filled, natural features such as contours, streams, gullies, cliffs, etc.
- SEPA Checklist
- Legal description of property to be reclassified
- Requested Zone Change: from Forest & Range to RURAL-3
- Project Narrative responding to Questions 9-12 on the following pages.

APPLICATIONS FEES:

3,335.00	Kittitas County Community Development Services (KCCDS)
300.00	Kittitas County Department of Public Works
130.00	Kittitas County Fire Marshal
\$3,765.00	Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): 	DATE: 	RECEIPT # _____	
---	--	--------------------	---

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:

Landowner(s) signature(s) required on application form.

Name: Cooper Pass LLC
Mailing Address: 206 W 1st Street
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-674-6828
Email Address: _____

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Brookside Consulting
Mailing Address: PO Box 1036
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-859-3421
Email Address: brooksideconsulting@gmail.com

3. Name, mailing address and day phone of other contact person

If different than land owner or authorized agent.

Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

4. Street address of property:

Address: Storie Lane
City/State/ZIP: Cle Elum, WA 98922

5. Legal description of property (attach additional sheets as necessary):

A portion of the southeast quarter of the southeast quarter of Section 28, Township 20 North, Range 14 East, W.M., Kittitas County

6. Tax parcel number: 20-14-28000-0007 (046334)

7. Property size: 18.50 Assessor's Record 18.73 Survey (acres)

8. Land Use Information:

Zoning: Present: Forest & Range Comp Plan Land Use Designation: Rural

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

- 9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description.
- 10. **What is the present zoning district:**
- 11. **What is the zoning district requested:**
- 12. **Applicant for rezone must demonstrate that the following criteria are met (attach additional sheets as necessary):**
 - A. The proposed amendment is compatible with the comprehensive plan.
 - B. The proposed amendment bears a substantial relation to the public health, safety or welfare.
 - C. The proposed amendment has merit and value for Kittitas County or a sub-area of the county.
 - D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is appropriate for reasonable development of the subject property.
 - E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.
 - F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.
 - G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

AUTHORIZATION

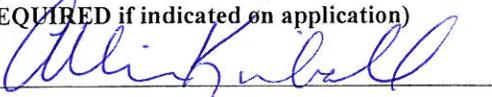
- 13. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:

(REQUIRED if indicated on application)

X



Date:

8/25/10

Signature of Land Owner of Record

(Required for application submittal):

X



Date:

8/25/10

Tamarack Valley Rezone - Seven Criteria:

A. The proposed amendment is compatible with the comprehensive plan.

The proposed rezone is from Forest and Range to Rural – 3. Examination of the Rural Lands element (Chapter 8) of the Comprehensive Plan clearly indicates that the proposed amendment is compatible with the Comprehensive Plan. Please see the following applicable Goals, Policies and Objectives:

8.5.5. Residential Uses

Rural Lands of Kittitas County are the home sites for thousands of families and provide a very special quality of life for these people. These people vary from being resource producers living and working on their own lands to out-of-state or out-of-area individuals with recreation and vacation homes. These people also could consist of retired people or young families commuting to out-of-area jobs. Residences may be isolated, or in rural neighborhoods, or part of housing developments located on small lots or large land-holdings. These residential lots may be located in dense forest or desert sage, along rivers and lakes or along main thoroughfares to towns and cities. The best description of residential uses on Rural Lands is diverse and varied.

GPO 8.46 Residential development on rural lands must be in areas that can support adequate private water and sewer systems.

GPO 8.47 Insofar as residences are situated where farming, mining, and forestry exists, particular precaution should be taken to minimize the conflict between new residential developments and farm operations. Farming, forestry and mining cannot be expected to curtail normal operation in the interest of residential development.

GPO 8.48 The possibilities and benefits of cluster residential developments located in rural lands should be retained.

GPO 8.49 Lot size should be determined by provision for water and sewer.

GPO 8.50 In the case of Planned Unit Developments (PUDs), only residential PUDs should be permitted outside of UGA's.

GPO 8.51 Innovations in housing developments such as but not limited to: cluster developments, planned unit developments, mobile home courts, and density bonuses should be encouraged whenever possible.

GPO 8.52 Existing lots of record are vested with the right to construct a single-family dwelling, subject to all applicable requirements in effect at the time of building permit application.

GPO 8.53 Where new residential development may be incompatible with resource production activities, any buffering necessary should be carried out by the new development unless an alternative is mutually agreed upon by adjacent landowners.

B. The proposed amendment bears a substantial relation to the public health, safety or welfare.

The primary goal of the Comprehensive Plan is to enhance, preserve and protect the public health, safety and welfare. As such, if the rezone is consistent with and implements the Comprehensive Plan, then it has sufficiently been demonstrated that the rezone is in the interest of the public health, safety and welfare.

C. The proposed amendment has merit and values for Kittitas County or a sub-area of the county.

Rural character, development and services are defined in RCW 36.70A.030 (15), (16) and (17) as follows: “Rural Character refers to the pattern of land use and development established by a county in the rural element of its comprehensive plan: (b) that foster traditional rural lifestyles, rural based economies and opportunities to both live and work in rural areas; (e) that reduce the inappropriate conversion of undeveloped land into sprawling, low density development. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas. The Comprehensive Plan states: “the current mix of rural uses and densities has not increased the cost to taxpayers for road and utility improvements, police and fire protection, or the education of school populations beyond the means of the local people to finance such infrastructure.”

Because the proposed rezone is consistent and compatible with the Comprehensive Plan and bears a substantial relation to the public health safety and welfare, then the proposed amendment must have merit and value for Kittitas County.

D. The proposed amendment is appropriate because of changed circumstances or because of a need for additional property in the proposed zone or because the proposed zone is reasonable development of the subject property.

The Washington State Supreme Court has found that when a proposed rezone would implement an adopted comprehensive plan, then a change in circumstances may not necessarily be required. See *SORE v. SNOHOMISH COUNTY*, [99 Wn.2d 363, 662 P.2d 816 (1983)].

However, the subject property is located within an area characteristic of substantial change over the last 10 years. Nearby and adjacent properties previously held by Plum Creek have since been sold and developed into rural home sites, including a rezone of approximately 336 acres from Forest and Range to Rural – 3. The area is no longer characteristic of or managed as commercial forest lands and the subject property is not designated as resource lands of long-term commercial significance.

E. The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

The proposed subdivision meets or exceeds all zoning standards contained within the Rural – 3 zoning designation, including but not limited to permitted uses, lot size, lot width, yard requirements and setbacks.

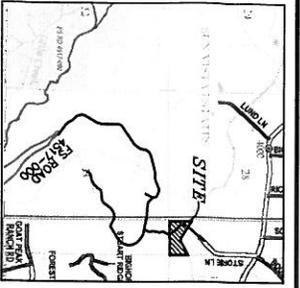
F. The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

As stated previously, the subject property is located within an area characteristic of rural residential development and the proposed subdivision will meet or exceed all applicable development standards of the Rural – 3 zone.

G. The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

The subject property is located adjacent to the KRD Main Canal. However, there are no irrigation water deliveries on the subject property, existing or proposed, and there will be no adverse impacts to deliveries to other properties.

LP-10-XXXXX



VICINITY MAP - N.T.S.

APPROVALS

KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS
EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 201__

KITTITAS COUNTY ENGINEER

I HEREBY CERTIFY THAT THE TAMARACK VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THAT THE SEWER AND WATER SYSTEM HEREIN SHOWN DOES MEET AND COMPLY WITH ALL REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT.
DATED THIS _____ DAY OF _____ A.D., 201__

KITTITAS COUNTY HEALTH OFFICER

CERTIFICATE OF COUNTY PLANNING DIRECTOR
I HEREBY CERTIFY THAT THE TAMARACK VALLEY PLAT HAS BEEN EXAMINED BY ME AND FIND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITTITAS COUNTY PLANNING COMMISSION.
DATED THIS _____ DAY OF _____ A.D., 201__

KITTITAS COUNTY PLANNING DIRECTOR

CERTIFICATE OF KITTITAS COUNTY TREASURER
I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.
PARCEL NO. 20-14-28000-0007 (046934)
DATED THIS _____ DAY OF _____ A.D., 201__

TIAS COUNTY TREASURER

CERTIFICATE OF KITTITAS COUNTY ASSESSOR
I HEREBY CERTIFY THAT THE TAMARACK VALLEY PLAT HAS BEEN EXAMINED BY ME AND I FIND THE PROPERTY TO BE IN AN ACCEPTABLE CONDITION FOR PLATING. PARCEL NO. 20-14-28000-0007 (046934)
DATED THIS _____ DAY OF _____ A.D., 201__

KITTITAS COUNTY ASSESSOR

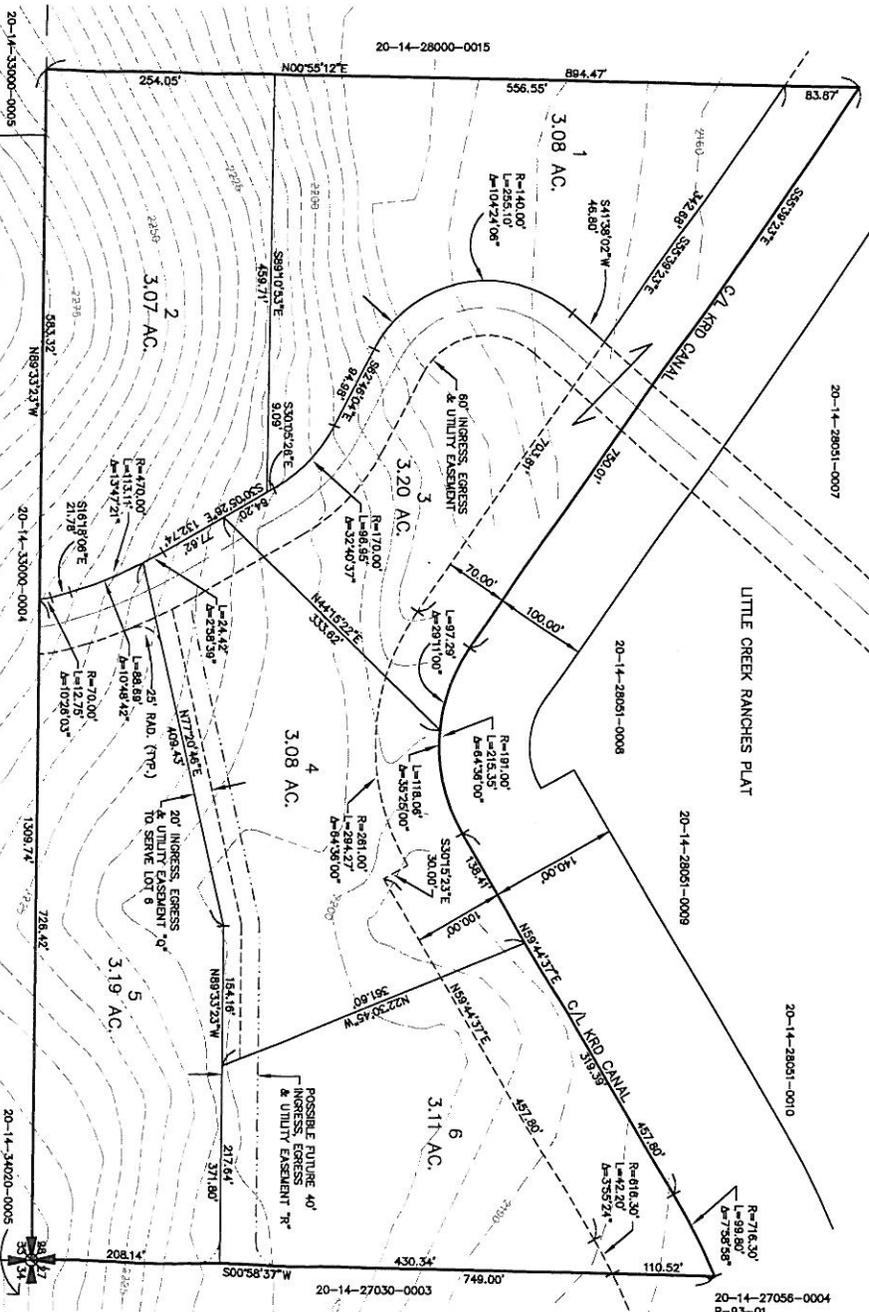
KITTITAS COUNTY BOARD OF COMMISSIONERS
EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D., 201__

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

BY: _____
CHIRMAN
ATTEST: _____
CLERK OF THE BOARD

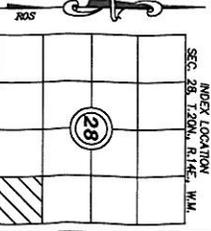
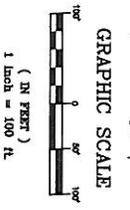
NOTE: THE APPROVAL OF THIS PLAT IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED.

TAMARACK VALLEY PLAT
A PTN. OF THE SE 1/4 OF SEC. 28, T20N, R14E, W1E
KITTITAS COUNTY, WASHINGTON



SURVEY NOTES:
1. BASIS OF BEARINGS AND SECTION BREAKDOWN ARE PER A SURVEY FILED IN BOOK 28 OF SURVEYS, PAGES 187 & 188, UNDER AUDITOR'S FILE NUMBER 20-14-28000-0007 (046934) IN THE PUBLIC RECORDS OF KITTITAS COUNTY, STATE OF WASHINGTON AND THE SURVEY BE REFERENCED THEREIN.
2. THE PURPOSE OF THIS DOCUMENT IS TO PLAT ASSESSOR'S TAX PARCEL NUMBERS 20-14-28000-0007 (046934) INTO THE CONFIGURATION SHOWN HEREON.

LEGEND
A SECTION CORNER AS NOTED
PND REBAR
SET REBAR & CAP L# 18092



NOTE:
THE EXISTING UTILITIES AS SHOWN ARE ONLY APPROXIMATE AND ARE NOT TO BE CONSIDERED AS A CONTRACTOR'S RESPONSIBILITY TO VERIFY THE SIZE, TYPE, LOCATION, AND DEPTH OF ALL EXISTING UTILITIES AND INFORM THE DESIGN ENGINEER OF ANY DISCREPANCIES.
Call Before You Dig
1-800-653-4344

RECEIVED
AUG 25 2010
KITTITAS COUNTY
CDS

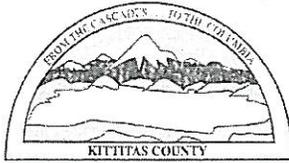


RECORDER'S CERTIFICATE
Filed for record this _____ day of _____, 20____, at _____, in book _____ of _____, at page _____, at the request of _____, Surveyor & Notary.

SURVEYOR'S CERTIFICATE
This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act of the State of Washington, Chapter 65A, RCW, in _____, 2008.
DAVID P. NELSON DATE _____
Certificate No. 18092

TAMARACK VALLEY PLAT
A PTN. OF THE SE 1/4 OF SEC. 28, T20N, R14E, W1E
KITTITAS COUNTY, WASHINGTON
DNN BY G. WEISER DATE 01/2010 JOB NO. 07199-W
CHKD BY D. NELSON SCALE 1"=100' SHEET 1 OF 2

Encompass
ENGINEERING & SURVEYING
Western Washington Division
165 NE Indigo Street, Suite 201 • Issaquah, WA 98027 • Phone: (425) 393-0250 • Fax: (425) 391-1055
104 East 2nd Street • Oak Hills, WA 98022 • Phone: (509) 674-7433 • Fax: (509) 674-7419



KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTTAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

SF 10-00002

SEPA ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST:

The State Environmental Protection Act (SEPA), chapter 43.21C RCW. Requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposals. Governmental agencies use this checklist to determine whether the environmental impacts or your proposal are significant, requiring preparation if an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "don not know" or "does not apply" Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS.

For non-project actions, the references in the checklist to the words "project," "applicant" and "property or site" should be read as "proposal," "proposer" and "affected geographic are" respectively.

APPLICATION FEES:

490.00 Kittitas County Community Development Services (KCCDS)

70.00 Kittitas County Department of Public Works

0.00 Kittitas County Fire Marshal

\$560.00 Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): 	DATE: 	RECEIPT #	PAID AUG 25 2010 KITTTAS CO. DATE STAMP IN BOX

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

FORM LAST REVISED: 7-21-2010

TO BE COMPLETED BY APPLICANT

FOR STAFF USE

1. BACKGROUND

1. Name of proposed project, if applicable:

Tamarack Valley Plat and Rezone

2. Name of applicant:

Cooper Pass, LLC

3. Address and phone number of applicant and contact person:

*Allison Kimball
PO Box 1036
Cle Elum, WA 98922
(509) 859-3421*

4. Date checklist prepared:

August 24, 2010

5. Agency requesting checklist:

Kittitas County Community Development Services

6. Proposed timing or schedule (including phasing, if applicable):

*Rezone and preliminary plat approval is expected in approximately 120 days.
Final plat approval to be completed within five years.*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None proposed at this time.

8. List any environmental information you know about that had been prepared, or will be prepared, directly related to this proposal.

A Custom Soil Resource Report was prepared by USDA NRCS.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Plat Alteration of Lot 6 & Lot 7 of Little Creek Ranches.

10. List any government approvals or permits that will be needed for your proposal, if known.

Rezone, preliminary and final plat approval by Kittitas County Community Development Services.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposed project consists of a rezone and subdivision of approximately 18.73 acres into six 3+ acre single-family residential lots. The development will be served by existing private roadways, accessed via Storie Lane. A Group B water system and on-site septic systems are proposed to serve each lot.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The subject property is located in the southeast quarter of the southeast quarter of Section 28, T. 20N., R. 15E., W.M., within Kittitas County. A preliminary plat and vicinity map is attached.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other.

Hilly- 3% - 25% slopes

- b. What is the steepest slope on the site (approximate percent slope)?

Approximately 45%

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

According to the NRCS Custom Soil Resource Report, the site largely consists of Roslyn ashy sandy loam.

- d. Are there surface indications or history of unstable soils in the immediate vicinity?

None known or observed during the October 14, 2009 site visit.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Filling and grading will be limited to building sites and driveways.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

None anticipated, but proper erosion control measures will be used.

- g. About what percentage of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 5% - 10% of the site will likely be covered with impervious surfaces at full build-out.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

No clearing or grading is proposed as a part of this project. However, if more than one acre of area is disturbed, a SWPPP will be prepared and a Construction Stormwater General Permit obtained. BMP's would be employed prior, during and after construction activities until such time that the site has been stabilized.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobiles, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Normal emissions from construction equipment will occur during construction activities (i.e. surfacing the roadways). Post-construction emissions will likely include wood smoke from chimneys and automobile emissions commonly associated with residential traffic.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

All vehicles and equipment will be properly fitted with emissions devices in compliance with Washington State emissions and/or air quality standards.

3. WATER

- a. Surface

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what streams or river it flows into.

Little Creek is located near the northwest corner of the property.

- 2) Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No work is proposed within 200 feet of Little Creek.

- 3) Estimate the fill and dredge material that would be placed in or removed from surface water or wetlands, and indicate the area of the site that would be affected. Indicate the source of fill material.

None proposed.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

None proposed.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

According to FIRM Community-Panel Number 530095 0240 B, the property is not located within a 100-year floodplain.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

None proposed.

b. Ground

1) Will ground water be withdrawn, or will water be discharged to surface waters? If so, give general description, purpose, and approximate quantities if known.

Groundwater will be withdrawn to supply the proposed Group B Water System. Estimated daily use is 2,100 gpd (6 residences x 350 gpd), but shall not exceed 5,000 gpd.

2) Describe waste materials that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Individual on-site septic systems will serve six future single-family residences.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be generated from the finished roadway and future impervious surfaces, such as driveways and rooftops. Runoff will be collected and treated in a stormwater detention system prior to release into existing drainage courses. All stormwater facilities will be designed and constructed in accordance with DOE's Stormwater Management Manual for Eastern Washington.

2) Could waste materials enter ground or surface waters? If so, generally describe.

None known or anticipated.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Stormwater facilities will be designed and constructed in accordance with DOE's Stormwater Management Manual for Eastern Washington.

4. PLANTS

a. Check or circle types of vegetation found on the site:

X deciduous tree: alder, maple, aspen, other _____

X evergreen tree: fir, cedar, pine, other tamarack _____

X shrubs _____

_____ grass _____

_____ pasture _____

_____ crop or grain _____

_____ wet soil plants: cattails, buttercup, bulrush, skunk cabbage, other _____

_____ water plants: water lily, eelgrass, milfoil, other _____

_____ other types of vegetation: _____

b. What kind and amount of vegetation will be removed or altered? _____

Existing trees and shrubs will be removed for future home construction.

c. List threatened or endangered species known to be on or near the site. _____

None known or identified.

d. Proposed landscaping use of native plants, or other measures to preserve or enhance vegetation on the site, if any: _____

Existing vegetation will be preserved to the maximum extent practicable.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site: _____

X birds: hawk, heron, eagle, songbirds, other: _____

X mammals: deer, bear, elk, beavers, other: _____

_____ fish: bass, salmon, trout, herring, shellfish, other: _____

b. List any threatened or endangered species known to be on or near the site. _____

None known or identified.

c. Is the site part of a migration route? If so, explain. _____

None known.

d. Proposed measures to preserve or enhance wildlife, if any. _____

None proposed at this time.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. _____

Energy sources for future residences will likely include electricity and wood stoves. The use of solar and/or other alternative energy sources will be encouraged.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, describe. _____

None known.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Energy-efficient and "green" building practices will be encouraged for future residences.

7. ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

None known.

- 1) Describe special emergency services that might be required.

None known.

- 2) Proposed measures to reduce or control environmental health hazards, if any.

None proposed or necessary.

- b. Noise

- 1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)?

None known or anticipated.

- 2) What types and levels of noise would be created by or associated with the project on a short-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Construction noise will occur during normal daytime hours.

- 3) Proposed measures to reduce or control noise impacts, if any.

Construction hours will be limited to normal daytime hours, 7:00 a.m. – 6:00 p.m.

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

The site is currently vacant and located within an area characteristic of rural-residential development and forestry uses.

- b. Has the site been used for agriculture? If so, describe.

None known.

- c. Describe any structures on the site.

None

- d. Will any structures be demolished? If so, what?

None

e. What is the current zoning classification of the site?
The existing zoning is Forest and Range and the requested/proposed Zoning is Rural-3.

f. What is the current comprehensive plan designation of the site?
Rural

g. If applicable, what is the current shoreline master program designation of the site?
Not applicable.

h. Has any part of the site been classified as an environmentally sensitive area?
None known.

i. Approximately how many people would the completed project displace?
None.

j. Approximately how many people would reside or work in the completed project?
Based upon 2.3 persons per household, approximately 14 people would reside in the subdivision at full build-out.

k. Proposed measures to avoid or reduce displacement impacts, if any.
None proposed or necessary.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.
The proposed development is consistent with the Comprehensive Plan designation (Rural) and is in full compliance with the proposed Rural – 3 zoning and all applicable development regulations, which are characteristic of and consistent with existing and adjacent land uses. No additional measures are proposed or necessary.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.
No units are proposed at this time, but at full build-out, the subdivision will provide for six residences. The residences will likely be middle to high-income.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low-income housing.
None.

c. Proposed measures to reduce or control housing impacts, if any.
None proposed or necessary.

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Future residences likely will not exceed 35 feet in height.

b. What views in the immediate vicinity would be altered or obstructed?

Views would be altered in the immediate vicinity with the presence of six future residences.

c. Proposed measures to reduce or control aesthetic impacts, if any.

Future CC&R's should encourage the use of natural building materials and natural or earth-tone colors.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Light and glare commonly associated with residential development will likely occur during daytime and nighttime hours.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No significant hazards or interference with views is anticipated.

c. What existing off-site sources of light or glare may affect your proposal?

None known.

d. Proposed measures to reduce or control light and glare impacts, if any.

Exterior lighting should be shielded and hooded and directed downward.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?

The site is located within an area where people commonly hike, mountain bike and snowmobile.

b. Would the proposed project displace any existing recreational uses? If so, describe.

None known.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed or necessary.

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known or identified.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known or identified.

- c. Proposed measures to reduce or control impacts, if any.

If ground disturbance or other activities related to the proposed development should result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact made with the Washington State DAHP, SHPO and/or affected tribes. Work shall remain suspended until the find is assessed and appropriate consultation is conducted.

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Proposed access to the site is from Storie Lane.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

None known.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

No on-street parking is proposed and no parking spaces would be eliminated.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

The existing private roadways will be improved in compliance with Kittitas County standards.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

None known.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

According to the Institute of Transportation Engineers, the finished project would generate approximately 60 trips per day. Peak volumes would likely occur during weekend and holiday traffic.

g. Proposed measures to reduce or control transportation impacts, if any.

The existing private roadways will be improved in compliance with Kittitas County standards.

15. PUBLIC SERVICE

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

An incremental increase in public services would be generated at the time of residential construction and occupancy.

b. Proposed measures to reduce or control direct impacts on public services, if any.

No significant direct impacts are anticipated and no special measures to reduce or control direct impacts on public services are proposed.

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse services, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the services, and the general construction activities on the site or in the immediate vicinity which might be needed.

Power – PSE; Telephone – Qwest; Water – Group B Water System; Sewage disposal – individual on-site septic systems.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Date: 8/25/10

Print Name: SEAN NORTHROP

THE REMAINING QUESTIONS ARE EXCLUSIVELY FOR REZONE APPLICANTS AND FOR AMENDMENTS TO COUNTY COMPREHENSIVE PLAN AND CODE. UNLESS THESE APPLY TO YOU, THIS IS THE END OF THE SEPA CHECKLIST.

SEPA ENVIRONMENTAL CHECKLIST QUESTIONS FOR NON-PROJECT ACTIONS ONLY. WHEN ANSWERING THESE QUESTIONS, BE AWARE THE EXTENT OF THE PROPOSAL, OR THE TYPE OF ACTIVITIES LIKELY TO RESULT FROM THE PROPOSAL, WOULD AFFECT AN ITEM AT A GREATER INTENSITY OR AT A FASTER RATE THAN IF THE PROPOSAL WERE NOT IMPLEMENTED. RESPOND BRIEFLY AND IN GENERAL TERMS (ATTACH ADDITIONAL SHEETS AS NECESSARY)

FOR STAFF USE

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? Proposed measures to avoid or reduce such increases.

Lots are proposed at 3 acres in size and the additional impervious surfaces will be minimal.

- 2. How would the proposal be likely to affect plants, animals, fish or marine life? Proposed measures to protect or conserve plants, animals, fish or marine life.

Only areas of development will displace habitat. Driveways, homes, etc...

- 3. How would the proposal be likely to deplete energy or natural resources? Proposed measures to protect or conserve energy and natural resources.

None anticipated.

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? Proposed measures to protect such resources or to avoid or reduce impacts.

No environmentally sensitive areas are within property boundary.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses? Proposed measures to avoid or reduce shoreline and land use impact.

The proposal will place a maximum of 6 residential units on what is currently Forest and Range.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? Proposed measures to reduce or respond to such demand(s).

An approximate 60 trips a day will be added to Storie Lane and Nelson Siding Road. Emergency service will be needed & available.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None anticipated.

Tamarack Valley Plat and Rezone



Project Description

The proposed development includes a rezone of approximately 18.73 acres from Forest and Range to Rural – 3 and a subdivision into six single-family residential lots pursuant to Chapter 16.12 KCC. Each lot will be a minimum of three acres and the subdivision will be developed as a single phase with construction to occur within five years of preliminary approval.

Access

Primary access to the site is proposed from Storie Lane via an existing bridge over the KRD canal and connecting to existing private roadways. This access is anticipated to be approved through the Plat Alteration of Lot 6 & Lot 7 of Little Creek Ranches. Currently, this route may provide access to 11 existing lots of record lying east of Little Creek, plus an additional 23 lots pending preliminary and/or final plat approval. The proposed development includes six lots, for a total of 40 lots served. A second access route is not proposed and should not be required at this time (see KCC 12.01.095(2)).

Utilities

Power: Puget Sound Energy

Telephone: Qwest

Sewage Disposal: Individual on-site septic

Potable Water Supply: Group B Water System

SEPA

The proposed rezone and subdivision is subject to SEPA review and an environmental checklist has been prepared and included with the application materials.

Critical Areas

According to Kittitas County's critical areas maps, the subject property contains an area of steep slopes (+30%) located in the southwest corner. The approximate location of the critical area has been identified on the preliminary plat.



United States
Department of
Agriculture



NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Kittitas County Area, Washington

Tamarack Valley Plat



January 26, 2010

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://soils.usda.gov/sqi/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://soils.usda.gov/contact/state_offices/).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Soil Data Mart Web site or the NRCS Web Soil Survey. The Soil Data Mart is the data storage site for the official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

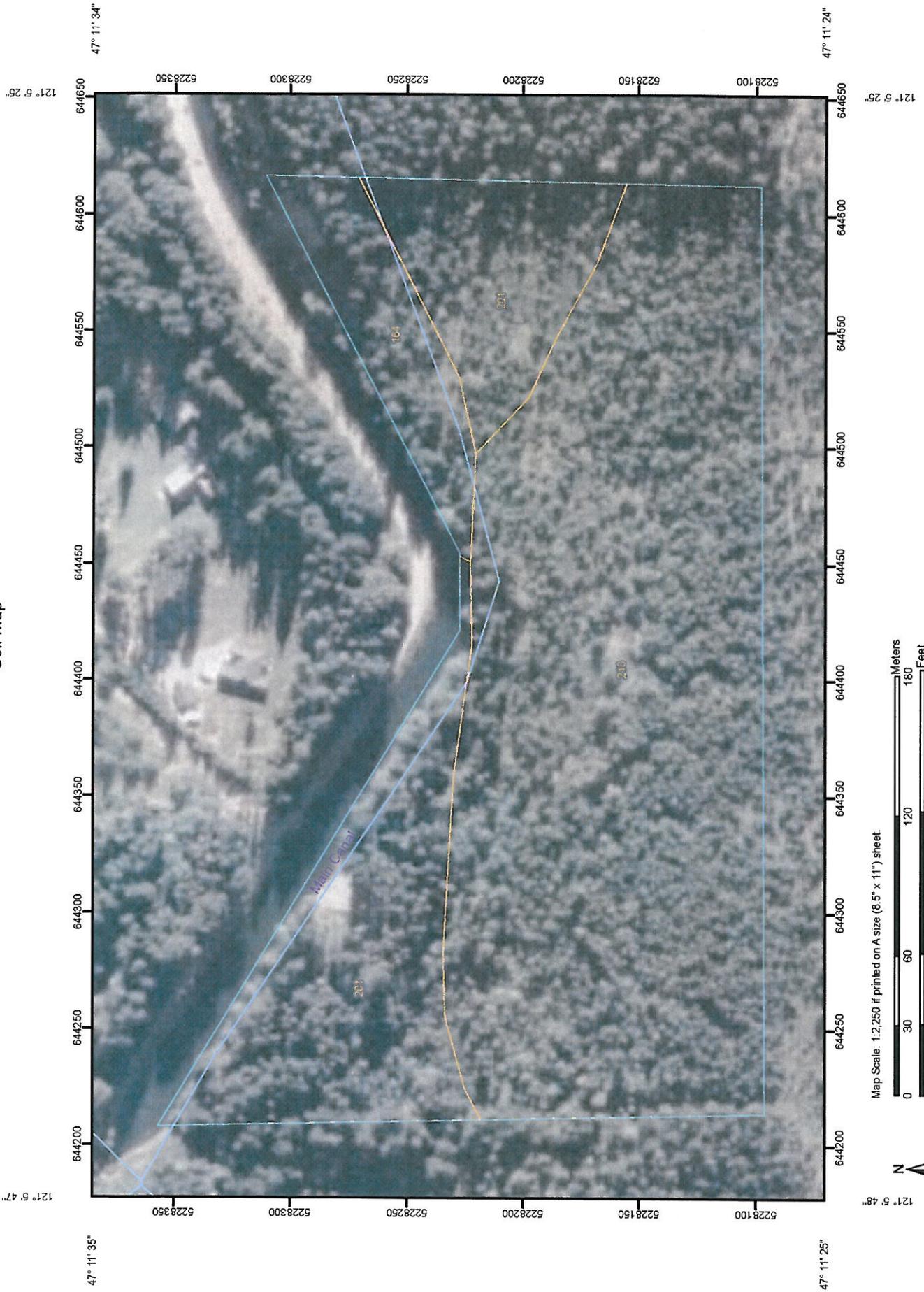
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Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:2,250 if printed on A size (8.5" x 11") sheet.



MAP LEGEND

MAP INFORMATION

Area of Interest (AOI)
 Area of Interest (AOI)

Soils


Soil Map Units

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot

-  Very Stony Spot
-  Wet Spot
-  Other

Special Line Features

-  Gully
-  Short Steep Slope
-  Other

Political Features

-  Cities

Water Features

-  Oceans
-  Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Map Scale: 1:2,250 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 10N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kittitas County Area, Washington
 Survey Area Data: Version 3, Jun 15, 2009

Date(s) aerial images were photographed: 7/27/2006

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Kittitas County Area, Washington (WA637)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
164	Nard ashy loam, 25 to 45 percent slopes	1.3	7.1%
201	Roslyn ashy sandy loam, 0 to 5 percent slopes	5.0	28.1%
213	Roslyn ashy sandy loam, moist, 3 to 25 percent slopes	11.6	64.8%
Totals for Area of Interest		17.9	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments

Custom Soil Resource Report

on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Kittitas County Area, Washington

164—Nard ashy loam, 25 to 45 percent slopes

Map Unit Setting

Elevation: 1,800 to 4,800 feet

Mean annual precipitation: 30 to 40 inches

Mean annual air temperature: 43 to 45 degrees F

Frost-free period: 80 to 120 days

Map Unit Composition

Nard and similar soils: 80 percent

Minor components: 20 percent

Description of Nard

Setting

Landform: Mountain slopes

Down-slope shape: Linear

Across-slope shape: Convex

Parent material: Residuum and colluvium from sandstone and old alluvium with an influence of volcanic ash in the upper part

Properties and qualities

Slope: 25 to 45 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: About 20 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: High (about 9.7 inches)

Interpretive groups

Land capability (nonirrigated): 7e

Other vegetative classification: grand fir/vine maple (CWS551)

Typical profile

0 to 1 inches: Slightly decomposed plant material

1 to 4 inches: Ashy loam

4 to 12 inches: Ashy loam

12 to 24 inches: Loam

24 to 34 inches: Clay loam

34 to 60 inches: Clay loam

Minor Components

Rock outcrop

Percent of map unit: 5 percent

Roxer

Percent of map unit: 5 percent

Kiper

Percent of map unit: 5 percent

Custom Soil Resource Report

Ampad

Percent of map unit: 5 percent

201—Roslyn ashy sandy loam, 0 to 5 percent slopes

Map Unit Setting

Elevation: 1,900 to 2,400 feet

Mean annual precipitation: 30 to 40 inches

Mean annual air temperature: 43 to 45 degrees F

Frost-free period: 85 to 115 days

Map Unit Composition

Roslyn and similar soils: 85 percent

Minor components: 15 percent

Description of Roslyn

Setting

Landform: Terraces

Down-slope shape: Concave

Across-slope shape: Concave

Parent material: Glacial drift with a mantle of loess and volcanic ash

Properties and qualities

Slope: 0 to 5 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)*

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 8.0 inches)

Interpretive groups

Land capability (nonirrigated): 3c

Other vegetative classification: grand fir/common snowberry/pinegrass (CWS336)

Typical profile

0 to 1 inches: Moderately decomposed plant material

1 to 8 inches: Ashy sandy loam

8 to 15 inches: Ashy sandy loam

15 to 37 inches: Loam

37 to 49 inches: Gravelly loam

49 to 60 inches: Gravelly loam

Minor Components

Nard

Percent of map unit: 10 percent

Custom Soil Resource Report

Volperie

Percent of map unit: 5 percent

213—Roslyn ashy sandy loam, moist, 3 to 25 percent slopes

Map Unit Setting

Elevation: 1,900 to 2,400 feet

Mean annual precipitation: 30 to 40 inches

Mean annual air temperature: 43 to 45 degrees F

Frost-free period: 85 to 115 days

Map Unit Composition

Roslyn, moist, and similar soils: 85 percent

Minor components: 15 percent

Description of Roslyn, Moist

Setting

Landform: Kame terraces, terraces, valley sides

Down-slope shape: Concave, linear

Across-slope shape: Concave, convex

Parent material: Glacial drift with a mantle of loess and volcanic ash

Properties and qualities

Slope: 3 to 25 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)*

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Moderate (about 8.5 inches)

Interpretive groups

Land capability (nonirrigated): 4e

Other vegetative classification: grand fir/vine maple (CWS551)

Typical profile

0 to 1 inches: Moderately decomposed plant material

1 to 8 inches: Ashy sandy loam

8 to 15 inches: Ashy sandy loam

15 to 37 inches: Loam

37 to 60 inches: Gravelly loam

Minor Components

Quicksell

Percent of map unit: 5 percent

Custom Soil Resource Report

Bertolotti

Percent of map unit: 5 percent

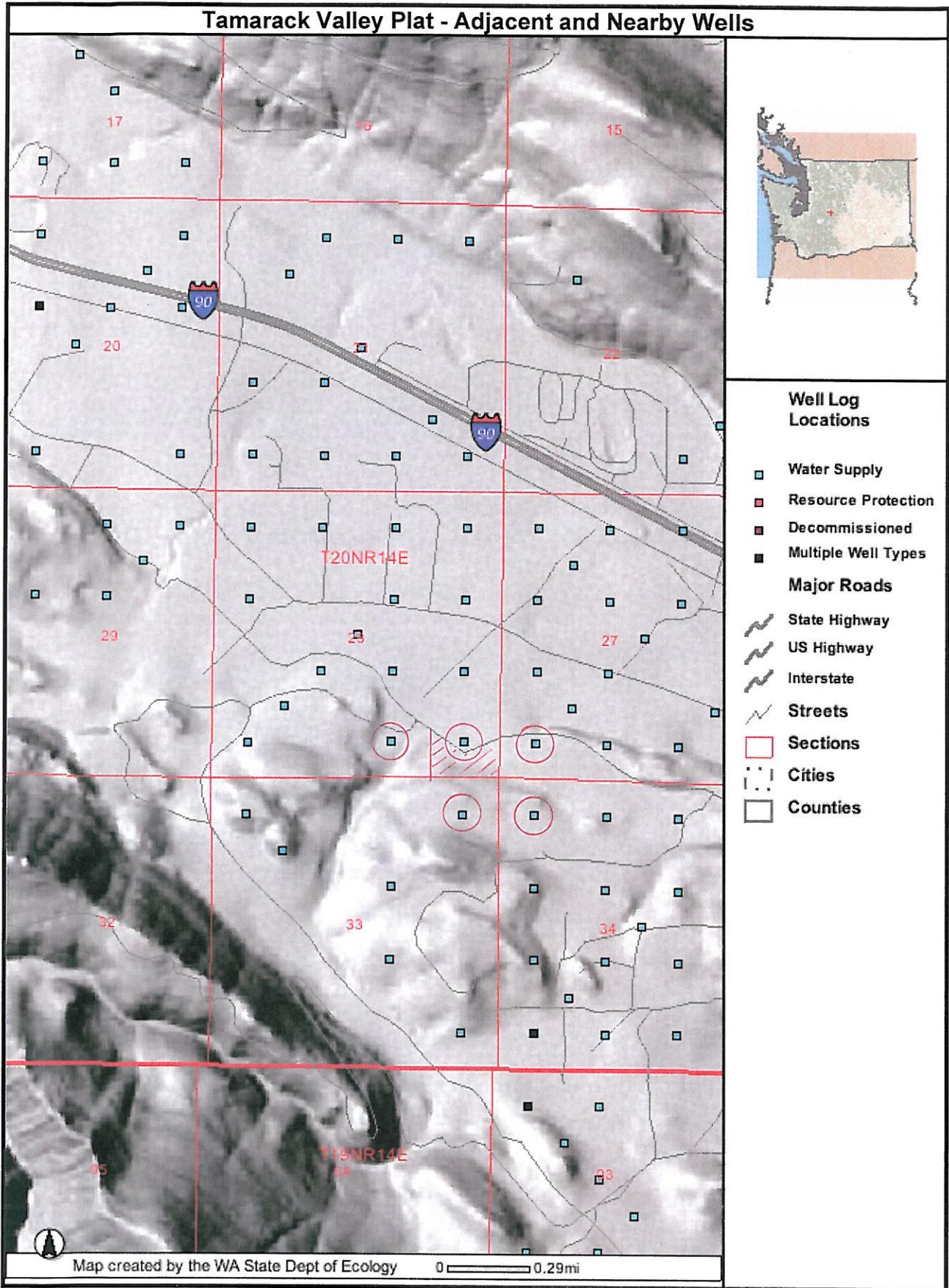
Nard

Percent of map unit: 5 percent

Tainarack Valley Plat and Rezone
Adjacent and Nearby Wells

Well Number	Depth (ft.)	GPM
W36900	98	18
24163	92	100
W170913	65	15
39234	120	15
none	60	0
034237	30	10
W254829	58	55
W109688	63	60
Average	73	34

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WATER WELL REPORT
STATE OF WASHINGTON

Sheet Card No. **W36900**
 Single Well No. **1** **ARL002**
 Water Right Permit No.

(1) OWNER: Name **RUTTON, GARY** Address **P.O. BOX 428 EASTON, WA 98925-**

(2) LOCATION OF WELL: County **KITTITAS** - **SE 1/4 SE 1/4 Sec 28 T 20 N. R 14E W4**
 (2a) STREET ADDRESS OF WELL (for nearest address):

(3) PROPOSED USE: **DOMESTIC** (10) WELL LOG

(4) TYPE OF WORK: Owner's Number of well **1** Formations: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change in formation.
 Method: **ROTARY**
NEW WELL

(5) DIMENSIONS: Diameter of well **6** inches
 Drilled **90** ft. Depth of completed well **90** ft.

MATERIAL	FROM	TO
COBBLES AND GRAVEL	0	6
SAND AND GRAVEL	6	49
BROWN SAND	49	72
SAND CLAY BROWN	72	79
BROWN CLAY GRAVEL	79	90

(6) CONSTRUCTION DETAILS:
 Casing installed: **6** " Dia. from **+8** ft. to **80** ft.
MELDED " Dia. from ft. to ft.
 " Dia. from ft. to ft.

Perforations: **NO**
 Type of perforator used
 SIZE of perforations in. by in.
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.

Screens: **NO**
 Manufacturer's Name
 Type Model No.
 Dia. slot size from ft. to ft.
 Dia. slot size from ft. to ft.

Gravel packed: **YES** Size of gravel **PEA**
 Gravel placed from **75** ft. to **90** ft.

Surface seal: **YES** To what depth? **18** ft.
 Material used in seal **BENTONITE**
 Did any strata contain unusable water? **NO**
 Type of water? Depth of strata **18** ft.
 Method of sealing strata off **OVERBORE**

(7) PUMP: Manufacturer's Name
 Type H.P.

(8) WATER LEVELS: Land-surface elevation
 above mean sea level ... ft.
 Static level **28** ft. below top of well Date **04/18/94**
 Artesian Pressure lbs. per square inch Date
 Artesian water controlled by

Work started **04/14/94** Completed **04/18/94**

(9) WELL TESTS: Drawdown is amount water level is lowered below static level.

Was a pump test made? **NO** If yes, by whom?
 Yield: gal./min with ft. drawdown after hrs.

Recovery data
 Time Water Level Time Water Level

Date of test / /
 Bailor test gal./min. ft. drawdown after hrs.
 Air test **18** gal./min. w/ stem set at ft. for hrs.
 Artesian flow g.p.w. Date
 Temperature of water Was a chemical analysis made? **NO**

WELL CONSTRUCTOR CERTIFICATION:
 I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief.

NAME **POUNDEROS DRILLING**
 (Person, firm, or corporation) (Type or print)

ADDRESS **6010 BROADWAY**
 LICENSED  License No. **2060**

Contractor's
 Registration No. **PO-NO-EI#248JE** Date **04/20/94**

**500' RADIUS
JOB # 07199W (COOPER PASS LLC)
PARCEL # 20-14-28000-0007**

20-14-27030-0003
Douglas B. Calvisky
2831 Nelson Siding Rd.
Cle Elum, WA 98922

20-14-34020-0005
Church of the Brethren
850 Camp Koinonia Lane
Cle Elum, WA 98922

20-14-33000-0004
Donald J. Cook etux
3349 263rd Ave. SE
Sammamish, WA 98075-9111

20-14-33000-0005
Chehalis Valley Timber
P.O. Box 261
Montesano, WA 98563

20-14-28000-0015
Everett H. Witte etux
14710 Cascadian Way
Lynnwood, WA 98036

20-14-28000-0017
Carolyn A. Watts Madden
19920 174th Ave. NE
Woodinville, WA 98072

20-14-28000-0016
Dale R. Madden
10708 15th Ave NE.
Seattle, WA 98125

20-14-28000-0014
Joseph E. Turner etux
561 Storie Lane
Cle Elum, WA 98922



20-14-28000-0041
Alvin E. Bryant
37095 Tamarack Drive NE
Hansville, WA 96340

20-14-28000-0044
20-14-28000-0046
20-14-28000-0028
Gary J. Ruttan Etux
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Easton, WA 98925

20-14-28000-0036
Lawrence B. Larson etux
P.O. Box 805
Easton, WA 98925

20-14-28051-0003
Stanley B. Woodworth etux
P.O. Box 550
Easton, WA 98925

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Larry D. Spence etux
P.O. Box 651
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