



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 20, 2022

Rachael Stevie
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: RU 22-00002

Dear Rachael Stevie:

Thank you for the opportunity to comment on the Notice of Application for the reasonable use variance, proposed by East Peak Development, LLC. The Department of Ecology (Ecology) has reviewed the application and has the following comments.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

Thank you for providing the Department of Ecology (Ecology) an opportunity to review and comment on the proposed wetland buffer reduction for the East Peak Development, LLC Reasonable Use Variance request.

Ecology staff has reviewed Exhibit C, Critical Areas Report- Tract B of Parcel #91450 prepared by Sewall Wetland Consulting, Inc. and have the following comment to provide.

- The incorrect wetland rating system and form were used. This location is actually within the Eastern Wetland Rating area. The line for the Western Rating System is located approximately 1.5 miles west of the project site. The two rating systems are slightly different. The use of the incorrect system could provide an incorrect wetland rating. Ecology staff can not verify that this rating is correct and therefore that the appropriate wetland buffer has been applied.
- Buffer reduction, enhancement, and planting are discussed within the above-mentioned critical area report. Ecology would like to provide some guidance and clarification on buffer enhancement and reduction practices.

- Buffer reductions without the use of buffer averaging, should be mitigated for at a 1 impact area: 1 replacement area ratio. Ecology guidance documents were written with the assumption that there is an existing functional buffer in place. If there is not one (it is lawn grass, sparsely vegetated, or vegetated by invasive species) the buffer is to be appropriately planted with native vegetation prior to the change in landuse. Therefore any buffer planting is expected to have already taken place and is not acceptable to be used as a form of mitigation. The buffer should be planted and mitigation for impacts provided per area of impact.
 - It is unclear what width the buffer is being reduced to.
 - The planting plan proposes the use of three tree species. It should include shrubs and an herbaceous layer as well for added structure, screening, and filtering purposes.
 - Monitoring of planted woody material should be for 10 years with the potential for early release if meeting performance standards.
- Goals and Objectives of the overall mitigation monitoring plan should be included. It needs to be expanded on beyond that of Year 2.

Wetland buffers play an important role in protecting the functions and values of the wetland by filtering stormwater run-off which could carry a variety of pollutants from the landuse of the parcel (such as pet waste, fertilizer, vehicle oil, and gas, etc.), they screen light and noise pollution, and they provide areas for a variety of species to forage, nest, and loaf. They are imperative to protecting the wetland's functions and values and should be appropriately considered when planning a landuse project.

Please contact **Lori White**, Regional Wetland, Shorelands, and Federal Permit Specialist at lori.white@ecy.wa.gov with any questions or comments you may have regarding the comments above or for additional guidance.

Sincerely,



Gwen Clear
Environmental Review Coordinator
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