



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

February 28, 2018

Chris Cruse (Agent)
PO Box 959
Ellensburg, WA 98926

Ron & Sonja Mitchell
1351 Naneum Rd.
Ellensburg, WA 98926

RE: Mitchell Short Plat (SP-17-00003) – Updated Request for Additional Information

Dear Applicant,

On January 9, 2018, CDS staff issued a Notice of Application for the above-referenced Short Plat. The comment period ended on January 24, 2018. Comment letters were transmitted to you on January 31, 2018. Additionally, revised comments were received from Kittitas County Environmental Health on February 9, 2018, February 12, 2018, and February 22, 2018 (the most recent letter is attached). Based on the comments received, staff review, and the most recent Kittitas County Environmental Health letter dated 2/22/18, the following is required in order for continued processing of the application:

1. Site evaluations for Onsite Septic System on each proposed lot pursuant to KCC 13.04.090(1)(f) and KCC 16.12.030(7) (See attached Public Health comment letter February 22, 2018).
2. Provide one of the following:
 - a. A wetland/stream reconnaissance demonstrating there is a buildable area and access available for lot 1C
 - b. A new preliminary survey with reconfigured proposed boundary lines providing a building area and access to lot 1C
 - c. Identification of a conservation easement on the preliminary survey over lot 1CThe county does not allow creation of non-buildable lots, nor lots that would require a variance for construction to occur based on current standards (See attached Fish and Wildlife and Department of Ecology letters).
3. Identify the shoreline buffer on lot 1A (See attached Department of Ecology comment letter)

Pursuant to Kittitas County Code 15A.03.040.3 "A project permit application is complete for the purposes of this title when it meets the procedural submission requirements of Kittitas County and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude Kittitas County from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur." Once all the above listed information has been provided, your short plat application will continue to be processed.

Please contact me if you have any further questions.

Thank you,

Chelsea Benner
Planner I
Kittitas County Community Development Services
411 N Ruby Street, Suite 2 Ellensburg, WA 98926
(p) 509-962-7506 (f) 509-962-7682
chelsea.benner@co.kittitas.wa.us

Enclosure: Department of Ecology comment Letter January 19, 2018
Department of Fish and Wildlife comment letter January 24, 2018
KC Public Health comment letter February 22, 2018

cc: Chris Cruse, Cruse and Associates

via email



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

January 19, 2018

Chelsea Benner
Kittitas County Community Development
411 N. Ruby St., Suite 2
Ellensburg, WA 98926

Re: SP-17-00003

Dear Ms. Benner:

Thank you for the opportunity to comment on the short subdivision of approximately 123.87 acres into 3 lots, proposed by Cruse and Associates for Basil Sinclair. We have reviewed the application and have the following comments.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

The actual subdividing of the parcel will not result in impacts; however, building on the parcel could produce streams, stream buffer, wetland and wetland buffer impacts. Three unnamed tributary streams, Naneum Creek, and potential wetland habitat exists on and/or adjacent to the parcel.

Naneum Creek is regulated under Kittitas County's Shoreline Master Program and has a rural conservancy environmental designation, which requires a 100' vegetation buffer extending landward of the ordinary high water mark (OHWM). Buffers along the remaining three streams will need to be determined per the stream type, found within Kittitas County Code 17A.07.010. Each stream should be properly typed, OHWM established, and buffer widths determined by a qualified professional prior to any construction activities.

Hydrologic signatures and vegetation shifts are most heavily noted in the SE corner between two of the tributary streams. Additional areas of interest occur scattered around the streams. A formal wetland delineation and rating should be conducted by a qualified professional prior to any construction activities to determine wetland locations, wetland category, and buffer requirements.

Identifying the stream, wetland, and buffer habitats and locations prior to platting can help determine the amount of buildable area present. The information should be provided within a report and submitted to the County and the Department of Ecology for review.



Ms. Benner
January 19, 2018
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Impacts to shoreland habitats should be avoided and minimized to the greatest extent possible.

In the event impacts to stream, wetland, and/or buffer habitat are unavoidable a mitigation plan would be required.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Lori White** at (509) 575-2616 or email at lori.white@ecy.wa.gov .

WATER QUALITY

Dividing or platting of a piece of property is often the first step in a proposed development. An NPDES Construction Stormwater Permit may be required if a subsequent individual or common plan of development that has potential for stormwater discharge from a construction site with disturbed ground. Ground disturbance includes all utility placements and building or upgrading existing roads. The process requires going through SEPA, developing a stormwater pollution prevention plan, submitting an application and a 30 day public notice process. This may take 45-60 days. A permit and a stormwater plan are required prior to beginning ground-breaking activities. Please contact **Lloyd Stevens, Jr.** with the Department of Ecology, (509) 574-3991, with questions about this permit.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Ellensburg District Office • 201 N. Pearl St, Ellensburg, WA 98926
Telephone: (509) 962-3421 • Fax: (509) 575-2474

January 24, 2018

Chelsea Benner
Kittitas County
Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926

RE: WDFW comments on SP-17-00003 Mitchell Short Plat along the Ferguson Branch of Naneum Creek

Dear Ms. Benner,

Thank you for the opportunity to comment on the proposed short plat (SP-17-00003 Mitchell) to divide the existing parcel into three lots. Naneum Creek flows southerly toward the western property boundary and the Ferguson Branch of Naneum Creek flows southerly through proposed lots 1B and 1C. The Washington Department of Fish and Wildlife's (WDFW) primary concern with this proposal is to protect the fish and wildlife habitat and other critical area functions associated with Naneum Creek and the Ferguson Branch.

Naneum Creek and the Ferguson Branch both flow year round and are fish bearing streams. We have included a series of images showing the streams and their relation to the property. Both streams are important for conveying irrigation water deliveries as well as providing miles of fish habitat and flow conveyance during periods of high flow. Natural floodplain processes and meandering streams are not only good for fish and fish habitat, but also reduce velocities and therefore reduce flood impacts during high flow events. The riparian vegetation along Naneum Creek and the Ferguson Branch provide habitat for fish and wildlife and help to stabilize the stream banks, slow and store flood waters, and protect water quality. Maintaining or improving the function of the riparian areas associated with Naneum Creek and the Ferguson Branch will not only improve fish and wildlife habitat, but it will help moderate flooding on this property and downstream properties.

Review of the County's LIDAR data and aerial photos clearly show that the Ferguson Branch is one part of Naneum Creek's broad alluvial fan. Flows from Naneum Creek are distributed across this alluvial fan (and through the Mitchell Property) during all seasons and on this property, Ferguson Branch actually has two channels. The Ferguson Branch can convey the majority of Naneum Creek's flows in this reach, overwhelming Cascade Canal and resulting in Naneum/Ferguson waters spilling into Coleman Creek. The draft flood models associated with the County's Wilson/Naneum/Cherry Watershed Assessment also represent both Ferguson Branch channels as active during the two year (approximate bankfull event) and 100 year flood

events (see attachment). As currently proposed, parcels 1B and especially 1C look to have extremely limited future buildable areas if proper critical area protections are applied for 1) wetlands, 2) geological hazards (alluvial fans, channel migration zones), 3) frequently flooded areas, or 4) fish and wildlife habitat conservation areas (streams, riparian areas).

As part of the short plat process, future building and septic locations should be considered such that these critical areas can be protected and to protect new infrastructure and help ensure public safety. At least four of five critical areas are likely present on the property that do not seem to be represented in the Master File for this proposed short plat.

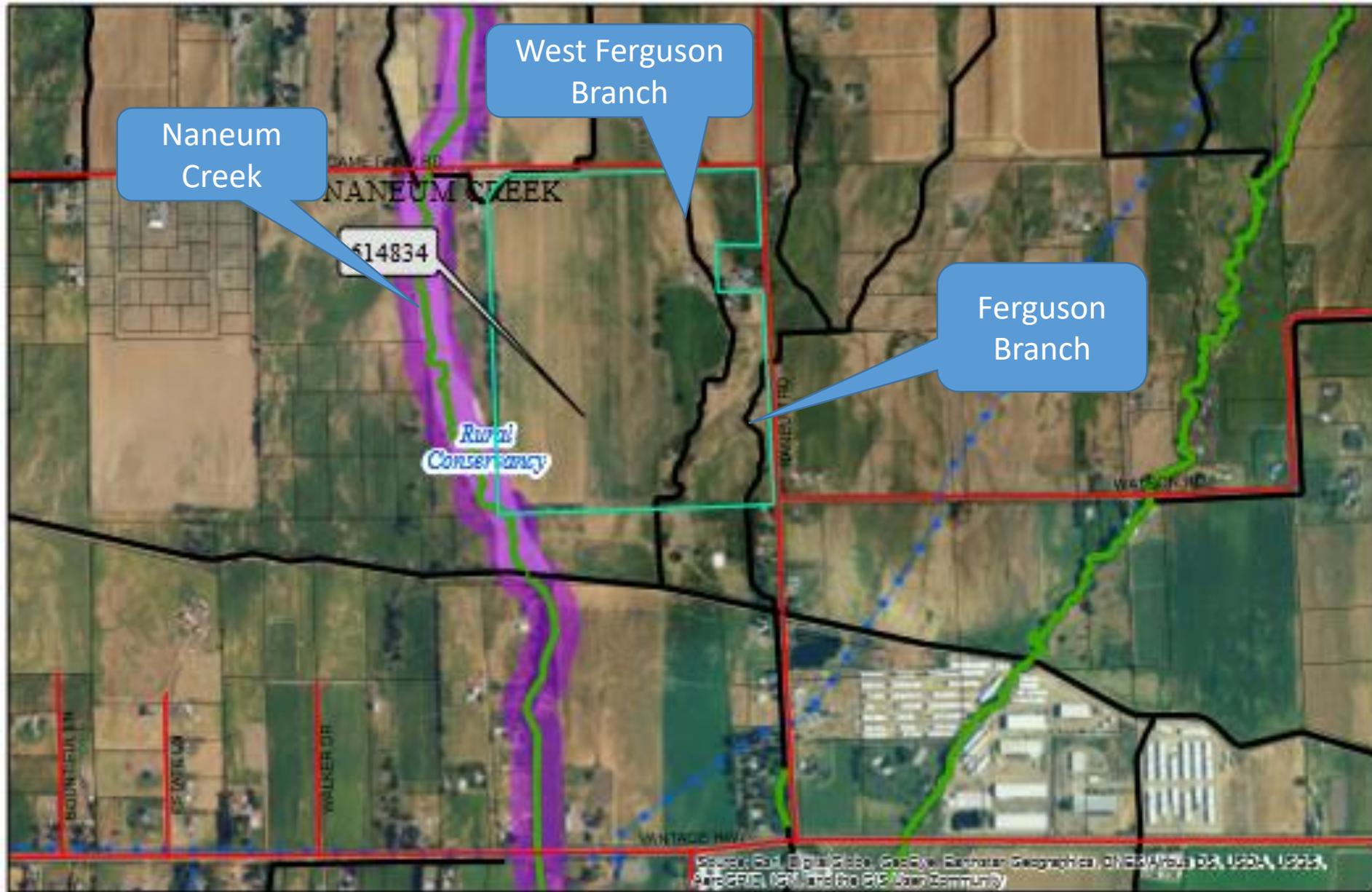
We believe lot 1C may not have a future building site that will not be at risk of flood damage and that will protect critical area functions associated with the Ferguson Branch. We recommend a reconfiguration of the proposed lots to ensure a non-buildable lot is not created with this process. Please ensure approval of this short plat will provide adequate protection to the Ferguson Branch and the critical areas associated with it into the future.

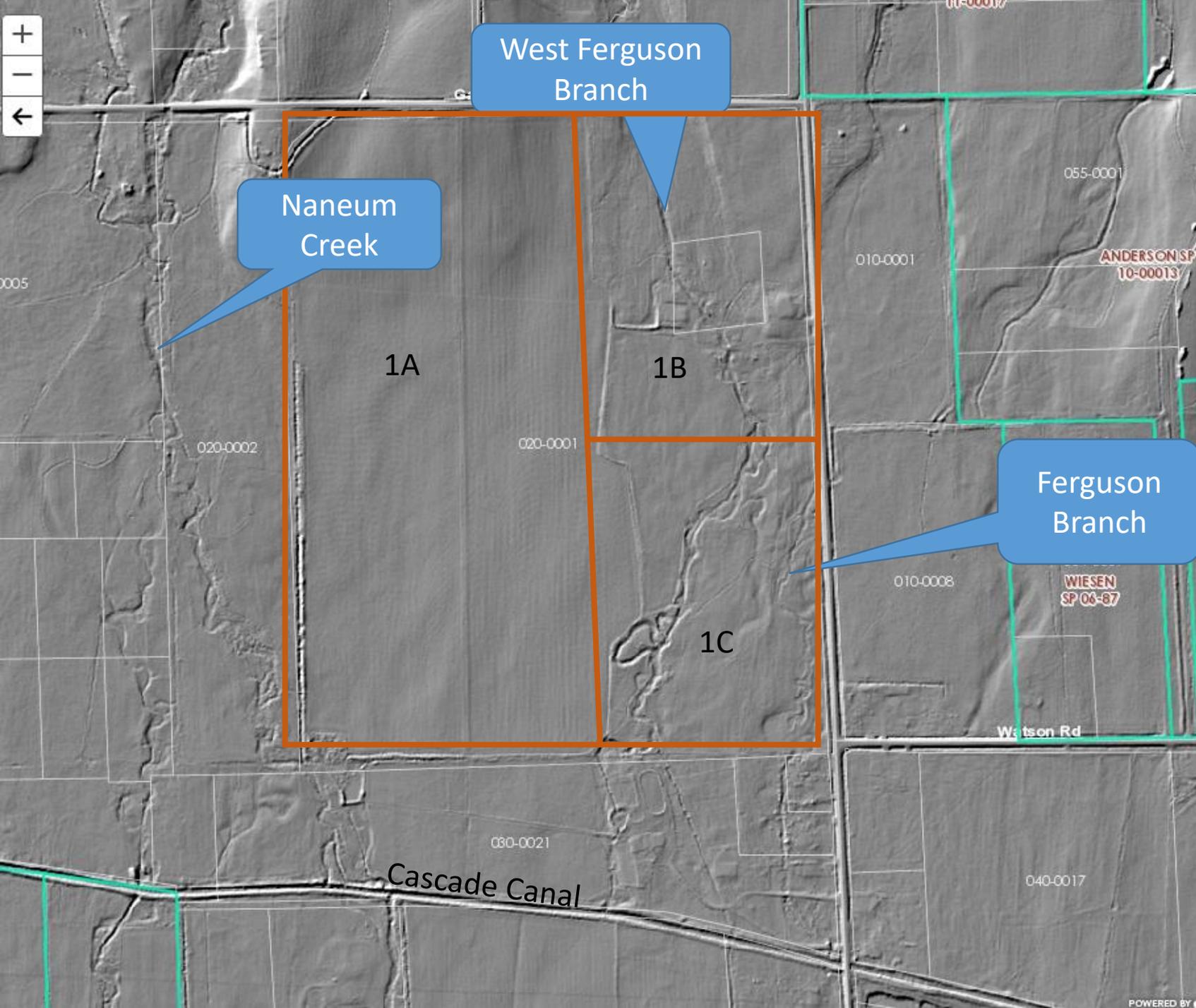
We appreciate the opportunity to comment and work with the proponents to meet their needs. Please feel free to contact me at (509) 962-3421 or Jennifer.nelson@dfw.wa.gov if you have any questions about these comments.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Nelson". The ink is dark and the signature is fluid and connected.

Jennifer Nelson
Area Habitat Biologist





West Ferguson Branch

Naneum Creek

Ferguson Branch

The orange lines on this LIDAR image represent the approximate new lot lines proposed with the Short Plat. The channels of Naneum Creek, West Ferguson Branch, and Ferguson Branch are clearly shown in and around the property. In addition to these natural stream channels, irrigation ditches convey irrigation water along Naneum Road and along Game Farm Road. Each stream channel has at least one intersection with Cascade Canal south of the property.

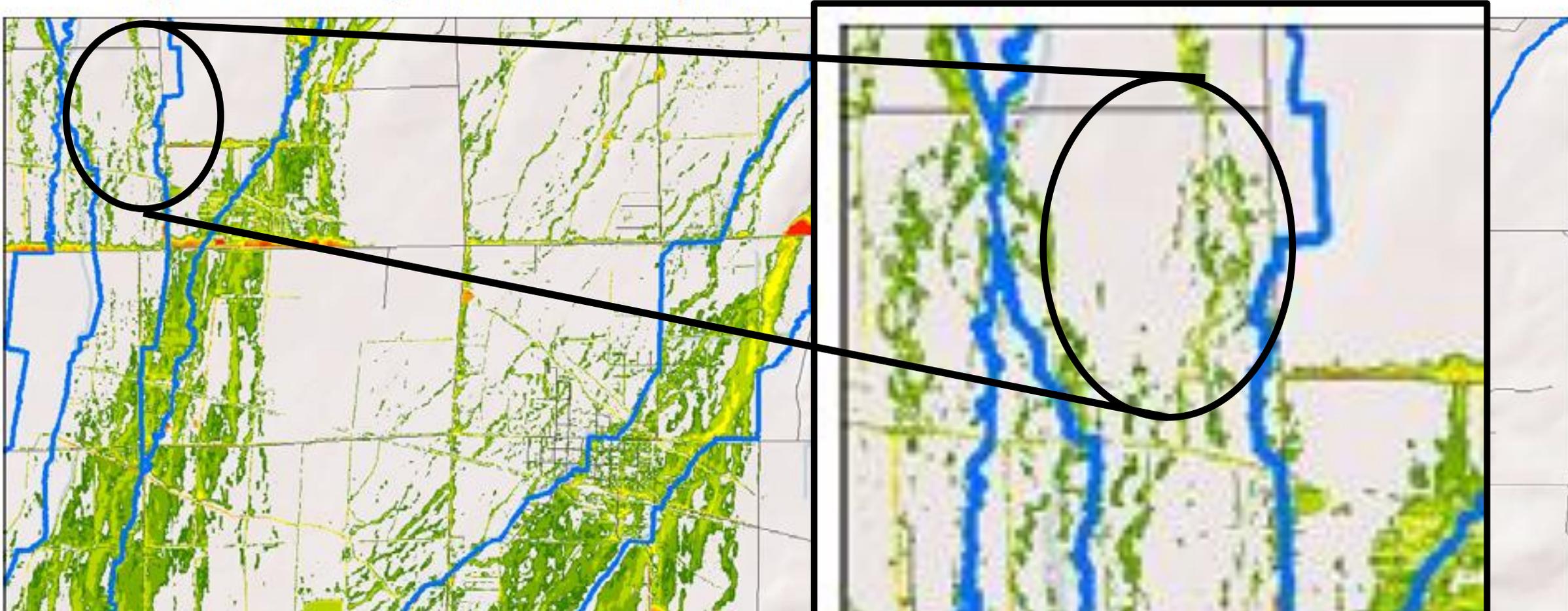


The FEMA floodplain map shown in the Master File maps only a narrow strip along Naneum and Coleman Creeks and is not an accurate representation of the active stream channels that can and do convey flood waters and contribute to overland flows.

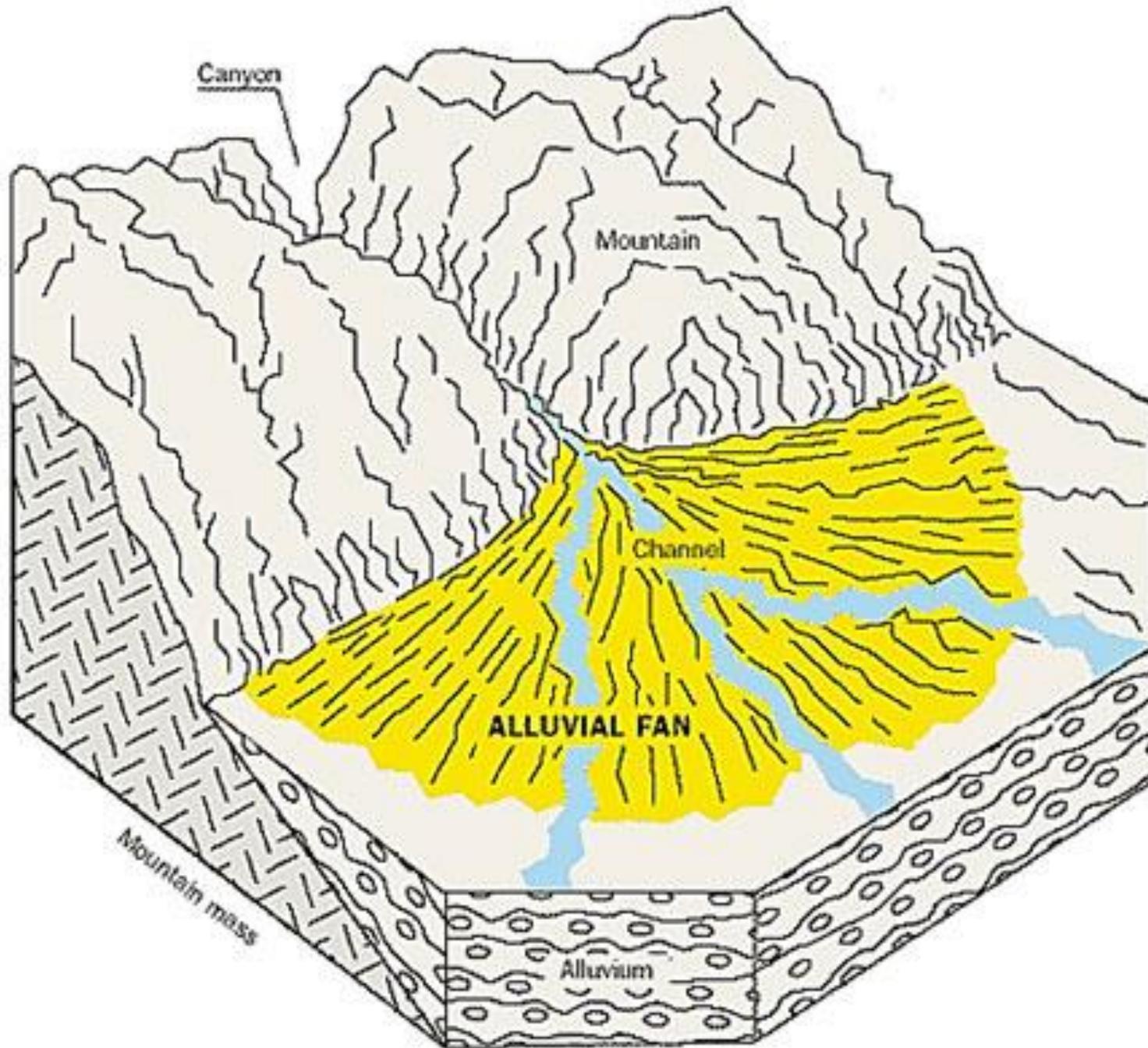
SP-17-00003
Mitchell

Flood

Figure 25d –100-year 2D model output – SE panel

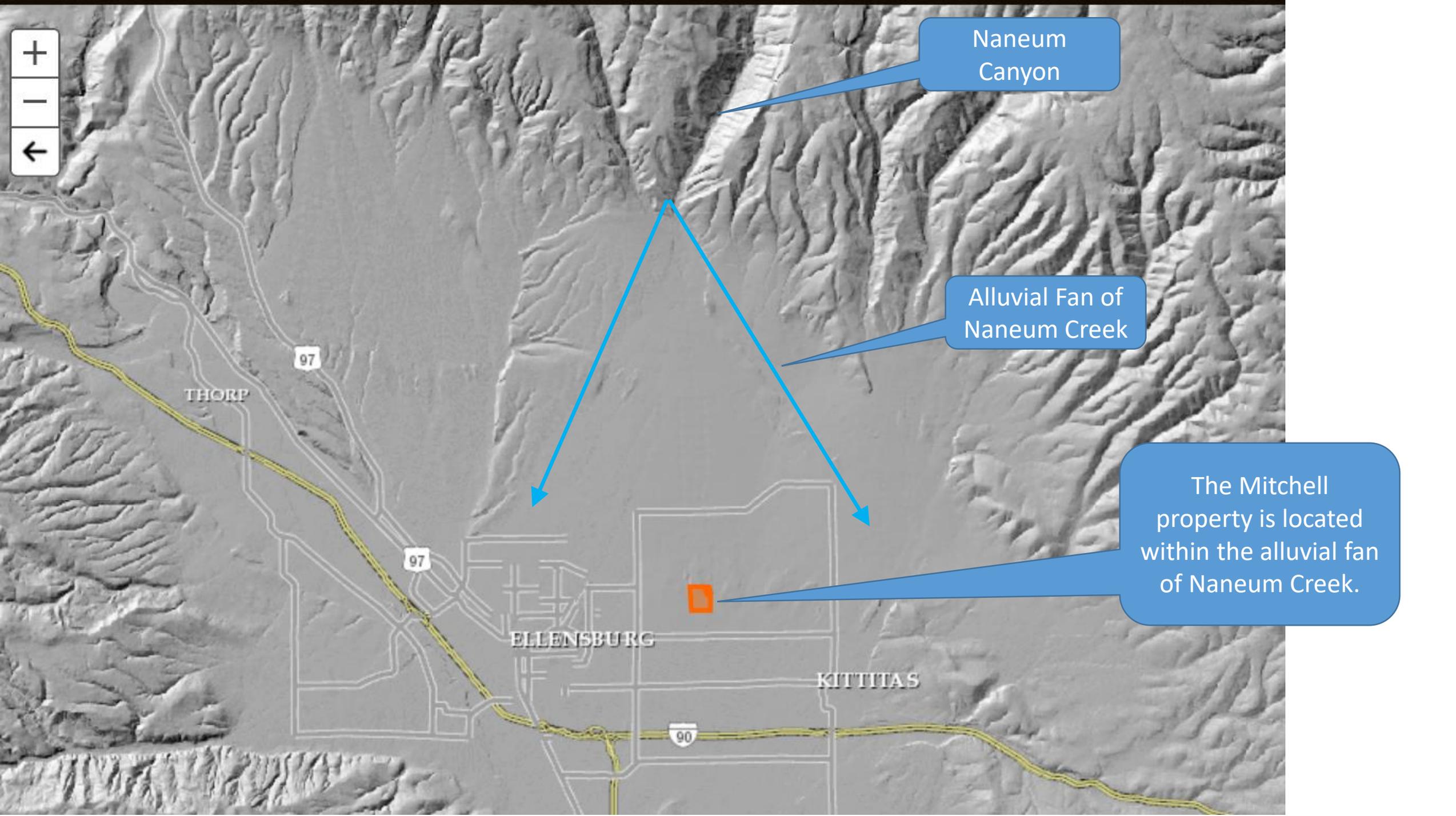


These are the draft 100 year flood maps from the County's recently completed Naneum, Wilson, and Cherry Creek Watershed Assessment. This modeling effort took advantage of the existing LIDAR data and is likely a much more accurate representation of the actual flooding likely to occur on the property associated with Naneum Creek and the two Ferguson Branches. These images more accurately represent recent high flow events near this property and in other portions of the watershed.



This is a generalized view of what an alluvial fan is. As a stream flows out of a canyon and a relatively constrained, single thread channel, it distributes into multiple channels as it spreads not only water, but debris and sediment throughout the alluvial fan.

This concept occurs throughout much of the Kittitas Valley, including the Naneum Watershed as shown in the next image.



Naneum
Canyon

Alluvial Fan of
Naneum Creek

The Mitchell
property is located
within the alluvial fan
of Naneum Creek.



This photo was taken during spring high flows in a previous year. The photo was taken from Naneum Road, looking west at the Ferguson Branch culvert entering the Mitchell Property and distributing across the floodplain.



This photo comes from Google Earth at lower flows, later in the spring. Irrigation check dams are visible in Ferguson Branch downstream of the culvert.



This aerial photo was taken in May 2017 and shows both branches of Ferguson Creek flowing through the Mitchell Property.



CORRECTED LETTER 2/22/18

Subdivision PH Comments

To: Tristen Lamb

From: Holly Erdman, Environmental Health Specialist II

Date: 02/23/2018

RE: Mitchell SP-17-00003 (Correction to comments submitted 2-12-18)

Thank you for the opportunity to comment on the above mentioned project regarding water and septic requirements to comply with Kittitas County Public Health requirements. The following items must be addressed prior to final plat approval: Proof of water adequacy includes a well log or 4 hour draw down test, a mitigation certificate for each proposed lot. Prior to preliminary plat approval, soil logs for onsite septic systems must be completed at the frequency of one soil log per lot. (KCC 13.04.090 (1f)). Cluster Plats, Conservation and Agricultural Plats (KCC 16.09). Process for Approval KCC 16.09.080.

Specific Conditions related to this project include:

WATER

All persons who are making applications for land use including, but not limited to, short plats must comply with KCC Chapter 13.35.027 per KCC Chapter 13.35.020 Adequate Water Supply Determination.

Chapter 13.35.027

1. All new uses of ground water shall require either:
 - 1) A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - 2) An adequate water right for the proposed new use; or
 - 3) A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank. No new use to which this chapter is applicable shall be approved without one of these required submissions.
2. All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in [WAC 173-539A-030](#) and otherwise demonstrate how the proposed new use will not violate [RCW 90.44.050](#) as currently existing or hereafter amended.



3. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under [Title 18 KCC](#).

16.20.040 Plat drawing.

The plat drawing shall contain all the following requirements:

16. Well location. The drawings shall be marked with a "w" indicating location of the well and a broken line showing the one hundred foot radius around such.

WELL LOCATION

All wells must meet the distance requirement of 50 feet from the property line, 50 feet from the septic tank and 100 feet from the drain field as per Kittitas County Critical Areas Ordinance 17A.08.25, and KCC Chapter 13. If existing wells do not meet the setback requirement from property lines, the two adjoining parcels nearest the well must enter into a legal, shared well-users agreement.

ON SITE SEWAGE

16.12.030 Existing conditions – Unless otherwise indicated, the following shall be shown on the preliminary and final drawings. (7) One soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with WAC 246.272A.

Since the type of soil and water source supplying the property can ultimately determine the minimum lot size, it is recommended that soil logs be conducted early in the plat planning process.

REQUIRED PLAT STATEMENTS

16.12.020 Preliminary Plats - Unless otherwise specified, information required below may be placed on either sheet one or subsequent sheets or on all sheets as necessary.

(9) A statement regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.

REQUIRED PLAT NOTES

1. “Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.” and



2. “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” (settlement agreement)

REQUIRED PLAT SIGNATURE BLOCK

16.24.210 Certificate of county health officer.

A note on any approved plat shall contain the following note:

I hereby certify that the plat has been examined and conforms with current Kittitas County Code [Chapter 13](#).

Dated this day of _____, A.D., 20____.
Kittitas County Health Officer

(Ord. 2014-015, 2014; Ord. 2005-31, 2005)

Sincerely, Holly Erdman

Environmental Health Specialist II