



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740

June 2, 2025

Zach Torrance-Smith
Planner
Kittitas County Community Development Services
411 N. Ruby Street; Suite 2
Ellensburg, WA 98926

SUBJECT: WDFW COMMENTS ON SE-25-00009 PFENNING PLAT

Dear Mr. Torrance-Smith,

The Washington Department of Fish and Wildlife (WDFW) has reviewed the application materials associated with the proposed subdivision of 12.49 acres into 39 new lots (Parcels 12391, 12392, and 12393) called Pfenning Plat, hereafter referred to as "the project". Lyle Creek flows generally north to south along the eastern boundary of this project site. Lyle Creek is a distributary stream of Wilson Creek and is a fish bearing stream on this alluvial fan. All fish present within the Wilson Creek watershed can also be found in Lyle Creek; this includes salmon, steelhead, trout, and other native species. The riparian and wetland habitat associated with Lyle Creek is important to protect fish habitat and water quality in the stream and are identified as Fish and Wildlife Habitat Conservation Areas.

WDFW is concerned that no critical area protections are mentioned within the preliminary MDNS for the project. A few recommendations for better critical areas protections are included below.

- There are 10 new lots proposed that span Lyle Creek. Each of these lots have property on both sides of the creek that future landowners are likely to want to access with new water crossing structures. Each of these structures has the potential to constrain and further degrade Lyle Creek's riparian and aquatic habitat. **WDFW recommends that 1) the lots be reconfigured to reduce the potential for future crossings; 2) Access to properties east of Lyle Creek be included with this proposal with a single crossing; or 3) the critical areas be protected in perpetuity as a separate tract.**
- Both Lyle Creek and a Category III wetland are acknowledged within the critical area report that includes a proposal for ten new lots spanning the identified critical areas. The site plan for the proposal does not identify the standard 130-foot wetland buffer ECC Table 15.620.030(E)(2) but does show the reduced 90-foot buffer ECC Table

15.620.030(E)(1) assuming that the mitigation measures within ECC Table 15.620.030(E)(2) will be applied. **WDFW recommends all measures within ECC Table 15.620.030(E)(2) be included within the MDNS. One of the measures includes placing the wetland and its buffer in a separate tract or protecting it with a conservation easement.**

- The preliminary MDNS makes no mention of the proposed buffer averaging required on six of the ten lots to provide a buildable lot. **WDFW recommends that all newly created lots be consistent with best available science for the protection of critical areas functions and values. [WDFW's Riparian Ecosystem Management Recommendations](#) suggest that a minimum buffer of 100 feet is necessary for protecting water quality. If buffer averaging is to be approved, the existing buffers should be enhanced and permanently protected to avoid encroachment.**
- If the lot layout remains unchanged, **WDFW recommends the critical areas be identified with permanent, wildlife friendly fencing and signage. Additionally, a detailed riparian and wetland restoration plan and habitat management plan should be required prior to approval of the subdivision as part of the MDNS. WDFW would be pleased to work with the County, City and applicant to review these documents prior to approval.**

The preliminary MDNS does not sufficiently protect existing critical area functions and values and with the lack of permanent protections proposed for the designated critical areas, we do not believe the proposal meets all requirements within ECC Table 15.620.030(E)(2), which allows for the reduced 90-foot buffer.

We look forward to working together to help ensure the protection of critical areas with this project. Please feel free to contact me at (509) 961-6639 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".

Jennifer Nelson
Area Habitat Biologist