

April 17, 2020

Via Electronic Mail:
jeremy.johnston@co.kittitas.wa.us

Mr. Dan Carlson, AICP, Director
Attn: Mr. Jeremy Johnston, Planner II
Kittitas County Community Development
411 N. Ruby, Suite 2
Ellensburg, Washington 98926

Re: Wallace Ranch Long Plat and Shoreline Substantial Development Permit
LP-19-00003 and SD-19-00002

Dear Mr. Carlson and Mr. Johnston:

Please note our address at the bottom of this letter for notice via electronic and U.S. Mail. We are writing to provide you with notice of our status and to make three requests.

The first request is that you immediately register us with your department as: (a) parties of record; (b) parties requesting and entitled to a copy of all notices of any kind; (c) parties desiring a copy of any Threshold Determination under the State Environmental Policy Act, RCW ch. 43.21C (“SEPA”) whether already issued or at the time of issuance; (d) parties requesting a communication from you specifying any comment periods, appeal periods, and administrative review procedures related to any SEPA determination; (e) copies of any decisions, code interpretations or determinations made to date (other than the completeness determination and notice of application) – **and as to each of these, with respect to the two above-referenced applications and any related applications, including but not limited to code interpretations.**

Second, we are writing to request that you change course from your stated intention to issue a Determination of Nonsignificance under the optional SEPA DNS process. We request that you issue a Determination of Significance requiring preparation of an EIS. This request is based on the probable significant adverse environmental impacts resulting from the large size of the land holding at issue; the number of residential units in the proposed development; the scale of intensity of the proposed residential clusters, roads, septic systems and water systems; the adverse effect on Yakima River viewsheds from adjacent properties; the amount of total impervious surface for the project (5 acres); the amount of impervious surface within the floodplain, designated as Rural Conservancy shoreline; and the likelihood of water quality impacts on the Yakima River, which is habitat for species designated under the Endangered Species Act. The County’s shoreline protection policies and regulations are designed to protect these elements of the environment and compliance with those policies and regulations can only be demonstrated by detailed study of each of these issues. We note that, when one portion of a project is located within the shoreline, the entire project must be consistent with the Shoreline Management Act, RCW ch. 90.58. As adjoining landowners, we believe we have standing to comment upon and make this request. If necessary, we also have the right to appeal issuance of a DNS that fails to mitigate all probable significant adverse environmental impacts from the project.

Finally, without delaying action on the first two independent requests, we request that

you provide us with copies of the following records under the Public Records Act. Because our ability to timely comment upon these applications is dependent on knowledge of the project impacts and proposed mitigation, time is of the essence in providing us an expedited response to these requests. Please provide copies of the following records related to the above-referenced development proposals or applications:

1. All communications between the applicant or the applicant's representative and any Kittitas County employees or elected officials concerning the proposal, both prior to and after submittal of the applications.
2. The title of all studies or technical reports reviewed by or under review by the Kittitas County SEPA responsible official or his designee during evaluation of whether to issue a SEPA Determination of Nonsignificance for either of the two above-referenced applications (if your position is that you are not obligated to prepare this list, please provide actual copies of the studies).
3. All records leading to the conclusion that the proposed development of new residential lots bordering the Yakima River will not result in the following impacts within the designated floodplain: (a) increased fill; (b) flow obstructions; or (c) increase runoff or contaminants over existing levels.
4. All records leading to the conclusion that the proposed development will not significantly alter views from adjacent properties of the designated Yakima River shoreline.

We greatly appreciate your cooperation in granting these requests. The public relies upon you, our public servants, to conduct a transparent process with full disclosure of potential adverse impacts. This matters a great deal to us, as neighbors adjacent to the Wallace Farms properties. The location of our ownership is shown on the attached map as Lot A2, located at 1500 Hart Road. Our tax parcel number(s) are: 19-16-11000-0011 and 19-16-02000-0029. The deed is in the name of eight individuals who manage the property through Shady Grove Properties LLC, an entity wholly owned by the eight landowners.

To date, we have not seen adequate signage or posting of the property to alert neighbors (There is one small sign posted in a ditch by Highway 10, well removed from the shoreline the applicant seeks to develop.) Please closely monitor the applicant's compliance with notice and posting requirements of County code. We look forward to working with you during this process to ensure compliance with the County's important shoreline policies and regulations, in response to the notices and decisions requested above.

Sincerely,

Bradley J. Rorem

Bradley J. Rorem
Property Owner and Co-Manager
Shady Grove Properties LLC

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Cc: Legal counsel
Sandra Rorem, Owner & Co-Manager
Jon Rorem, Owner
Susan Christofferson, Owner
Glen Christofferson, Owner
Carrie Rorem, Owner
J. Brendan Rorem, Owner
Kelly Rorem, Owner

