



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

November 14, 2007



Your address
is in the
**Upper
Yakima**
watershed

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

Dear Mr. Valoff:

Thank you for the opportunity to comment during the optional determination of nonsignificance process for the Starlite 32-lot Performance Based Cluster Plat on approximately 50 acres, proposed by Starlite Construction [P 07-16]. We have reviewed the documents for the Meadow Springs, Starlite Heights, and Tamarack Ridge. For the reason that these developments are adjacent to each other and therefore, have a cumulative impact, Ecology has the following comments.

Air Quality

DUST

The SEPA checklists for Meadow Springs, Starlite Heights, and Tamarack Ridge states that all applicable EPA and Ecology standards governing air quality related to construction will be followed during project developments. Ecology suggests developing a Fugitive Dust Control Plan (FDCP), for the entire project area from start to finish, for the life of the project and beyond. The FDCP should be comprehensive and include measures for idle areas as well as active areas. Plans should be reviewed by all project managers who will be expected to implement them, and the resources to implement the plans should be required and secured. The FDCP should include, at a minimum, the following components.

- Identification of project-related fugitive dust sources, assignment of dust control methods to each, and identification of who will be responsible for carrying out the measures during various phases of the project.
- A commitment to secure and train personnel to implement the FDCP, and clear assignment of responsibility for compliance during all phases of the project.



- A commitment and the ability to cease activity during windy conditions when best efforts are insufficient to control the dust.
- A clear explanation of how the dust control measures will effectuate compliance with applicable provisions of WAC 173-400-040.

OUTDOOR BURNING

If you are planning to remove trees or debris from the property, you need to verify that this property is located outside the Urban Growth Area (UGA), where residential and land clearing burning is prohibited. If the property is outside the UGA, you need to obtain a burn permit from Ecology if you are planning to burn trees or debris. Only natural unprocessed vegetation may be burned in an outdoor fire. Burning all other material is prohibited – this includes construction debris. If you are inside the UGA, you must use an alternative to burning. Identify alternatives to burning you will employ, such as chipping debris and using it on-site.

Also, consider outdoor burning emissions for the life of the project, including organic solid waste generated after project is complete and how it will be utilized and/or disposed of. Consider community composting, curbside pick-up, community chipping, and other alternatives.

HOME HEATING

Home heating impacts should be considered in air quality analysis for this project. Installation and use of wood burning devices for home heating could have significant air quality impacts as well as negative human health impacts for residents. The SEPA document states that electricity, wood stoves, and propane may be used for heating. Consider also bringing natural gas to the site early in the development phase.

If you have any questions concerning the Air Quality comments, please contact Maureen McCormick at (509) 454-7660.

Water Resources

Ecology believes Meadow Springs Performance Based Cluster Plat, 62-lot Plat (P-07-15), Tamarack Ridge Performance Based Cluster Plat, 32-lot Plat (P-07-18), and Starlite Heights Performance Based Cluster Plat, 32-lot Plat (P-07-16) are all one project. According to WAC 197-11-060, proposals that relate to each other shall be evaluated in the same environmental document. Ecology believes these three proposals should indeed be evaluated as the same combined project.

Environmental review of a zone designation should analyze the likely impacts of the development allowed within that zone. The more specific the analysis is at the non-

project stage, the less environmental review needed when a project permit application is submitted.

Water availability is essential for development. The submitted checklist does not contain sufficient information to evaluate water availability or the adequacy of water rights. Ecology believes water availability should be addressed by the county and the project proponent in the threshold determination for this subdivision.

CURRENT WATER RIGHTS:

This development, in combination, at build out will contain 126 lots and will need a water right. If the proponents, Meadow Spring LLC, Stuart Vista LLC, and Starlite Construction have a water right for this project it is important to include details of the water right in the SEPA checklist. A water right number, owner of the water right, instantaneous quantity, annual quantity, purpose of use of the water right are all helpful pieces of information that would be useful to include in the SEPA checklist or other environmental documentation when appropriate.

Furthermore, water purveyor is responsible for ensuring that the proposed use(s) are within the limitations of its water rights. If the proposal's actions are different than the existing water right (source, purpose, the place of use, or period of use), then it is subject to approval from the Department of Ecology pursuant to Sections 90.03.380 RCW and 90.44.100 RCW.

If you plan to use water for dust suppression at your site, be sure that you have a legal right. A water right permit is required for *all* surface water diversions and for any water from a well that will exceed 5,000 gallons per day. (Chapter 90.03 RCW Surface Water Code and Chapter 90.44 RCW Regulation of Public Ground Waters) If in doubt, check with the Department of Ecology, Water Resources Program. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

All water wells constructed shall be in accordance with the provisions of Chapter 173-160 WAC by a driller licensed in the State of Washington. All wells must be located a minimum of 100 feet from any known, suspected, or potential source of contamination and shall not be located within 1,000 feet of the property boundary of solid waste landfills. A well report must be submitted to the Department of Ecology within thirty days after the completion of a well.

If you have any questions concerning the Water Resources comments, please contact Breean Zimmerman at (509) 454-7647.

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Water Quality

Project Greater-Than 1 Acre With Potential To Discharge Off-Site

An NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with more than one acre of disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> . Please submit an application or contact Cory Hixon at the Dept. of Ecology, (509) 454-4103, with questions about this permit.

Sincerely,



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