

May 31, 2006

BCSCBN INC.
21828 87th AVE SE
Suite 200
Woodinville, WA 98072
Attn: Skip Coddington

Subject: DRAFT Letter Report - Biological Resources Review of a Proposed Housing Development near Vantage, WA:

This letter serves to document a review of biological resources that have been observed on or within a 1.0 mile radius of the proposed housing development near Vantage, WA. This review was performed by Environmental Assessment Services during the spring of 2006.

Survey points of the proposed development foot-print were provided by Todd Lolkus of Todd Surveyors at (509) 754-0135 to EAS during early April, 2006. EAS then converted these survey points into an Arcview™ GIS shape file and the resulting coordinates were overlaid on a map showing significant geographical features of the area (Figure 1). This map was also provided to Greg Cleveland for Cultural Resources Review efforts.

Two Washington State natural resources database requests were submitted for this development in March of 2006. In addition, the site was visited by B. Tiller on 05-29-06 for a visual reconnaissance of the biological conditions that currently exist there.

The proposed development site can be generally classified as highly disturbed habitat that has had extensive use by livestock for decades.

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JUN 15 2006

Kittitas County
CDS

May 31, 2006

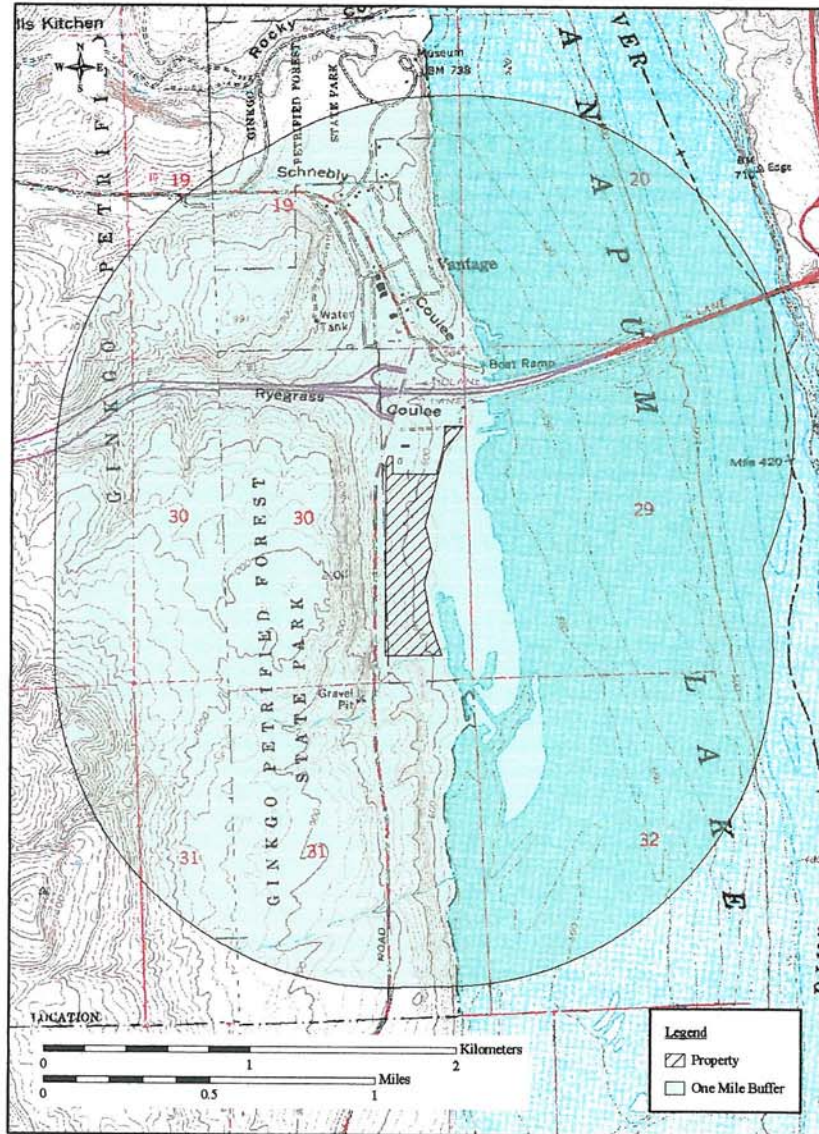


Figure 1. Depiction of proposed housing development near Vantage, WA. The figure illustrates USGS topographic features of the area, the foot-print of the proposed housing development (hatched sections), the Columbia River, the existing town of Vantage, and major roadways.

May 31, 2006

On March 22, 2006 two natural resources database review requests for the subject area were submitted by EAS; 1) Washington Department of Fish and Wildlife (WDFW) priority habitats and species program and 2) Washington Department of Natural Resources (WDNR) for rare plants and/or element occurrences. Results of the WDFW database request were received by EAS on 04-21-06 and results of the WDNR database request were received by EAS on 05-05-06. No significant natural features were found as part of the database request (see attached letter from Mrs. Sandy Swope Moody to Mr. Brett Tiller dated 05-01-06).

From these database reviews, there were however, three significant natural features adjacent to the proposed development foot-print; 1) an active bald eagle nest, 2) a small inlet/backwater slough, and 3) vegetation identified in the national wetlands inventory:

Avian Resources: Approximately 1000ft to the east of the proposed housing development foot-print, a pair of bald eagles (*Haliaeetus leucocephalus*) are currently nesting. This nest site was recently documented and the State WDFW regional biologist (Jeff Bernetowitz [509] 457-9304) verified the nest was active in March of 2006. Figure 2.0 illustrates the location of this nest in context to the proposed development footprint. EAS staff contacted Jeff Bernetowitz in May, 2006 and recently provided Jeff with a copy of Figure 2.0. Jeff has agreed to draft a Bald Eagle Site Management Plan (BESMP) for the developer, consistent with Bald & Golden Eagle Protection Guidelines. This plan will be provided to the developer as soon as EAS receives notification by WDFW officials and consults with the developer regarding the conditions set in the BESMP.

Water Resources: Adjacent to the proposed development foot-print (southern region and ~200 meters to the east) there is a relatively small back-water slough that is connected to the Wanapum pool of the Columbia River and likely provides waterfowl, amphibian, and fish habitat (see Fig.1). The slough is generally shallow (maximum depth ~2meters) but likely contains a number of warm-water fishes during high-water periods. The slough may provide some habitat for juvenile salmonids during the rearing periods, but the lack of flowing water (i.e. resulting high water temperatures) and the reservoir's water-level fluctuations (potential stranding areas) limit the utility of this site as suitable juvenile salmonid habitat. The slough's resources are not likely to be affected by the proposed development, however, a detailed water resource management plan has not been reviewed by EAS to make this final determination.

Plant Resources: WDFW priority habitats database identified a national wetlands area located east of the slough. This area is well outside of the proposed development foot-print and on the opposite side of the backwater slough area. Therefore, the national area wetlands is not likely to be affected by the proposed development.

May 31, 2006

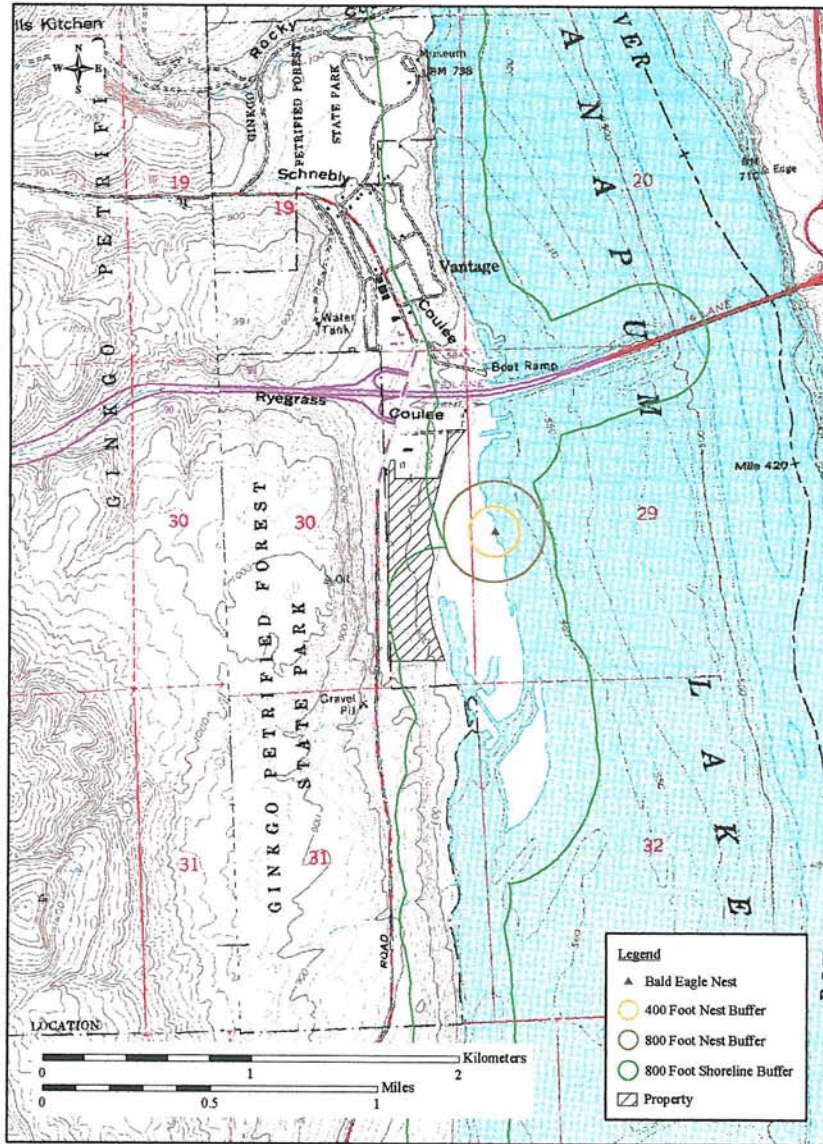


Figure 2. Bald Eagle Nest Site, 400 ft. buffer, 800 ft. buffer and 800ft. shoreline buffer in proximity to the proposed housing development near Vantage, WA.

May 31, 2006

Further information regarding the project development schedule (to minimize disturbance to nesting bald eagles), and water resources management practices (to address possible impacts to backwater slough) may be needed before the biological resources review process is complete for this development.

Please do not hesitate to call me at the number listed below with any questions regarding this request.

Sincerely,

Brett Tiller
Sr. Scientist

See attachments

Joanna F. Valencia

From: Brett Tiller [bretttiller@charter.net]
Sent: Friday, August 18, 2006 7:33 AM
To: Skip Coddington; todd@todd-surveying.com; Joanna F. Valencia; 'Catherine Reed'
Subject: Response to Ecology's Shoreland Comments on Vantage Bay Rezone
Importance: High
Attachments: Biol. Res. Review - Response to Ecology comments.doc

All,

Attached please find a letter I've drafted to help address the Vantage Bay Rezone comments provided by Cathy Reed on 07-31-06. I will send a final copy of this letter to Skip Coddington and Todd Lolkus if you all feel that Ecology's and Kittitas Co.'s concerns are adequately addressed herein. Please review and let me know if there are any changes or additional discussions any of you would like to see addressed in the final letter. I will be away from the office from 08-19 through 08-27. During that time please don't hesitate to call me to discuss questions/concerns on the cell number listed below.

Sincerely,

Brett L Tiller
Sr. Scientist
Env. Assessment Svcs.
350 Hills St., Suite 151
Richland, WA 99354
ph: (509) 375-1481
cell: (509) 948-5764
lab: (509) 375-4212
brett@easbio.com
www.easbio.com

8/25/2006

10



August 25, 2006

BCSCBN INC.
21828 87th AVE SE
Suite 200
Woodinville, WA 98072
Attn: Skip Coddington

Subject: - Supplemental Biological Resource Assessments of a the Vantage Bay Rezone and Preliminary Plat (Z0625):

This letter was prepared to address the Department of Ecology's (Ecology) 07-31-06 comments concerning Shorelands/Environmental Assistance near the Vantage Bay Rezone Project (Z0625).

Two main issues were identified on page 6 and 7 in the letter; 1) that no wildlife use survey had been performed and 2) potential impacts to adjacent wetlands was not adequately addressed.

A five page biological resource review letter report was sent to BCSCBN Inc. and Todd Lolkus Land Surveying LLC, by Environmental Assessment Services (EAS) on 07-19-06. This report, along with appendices showing the Washington Department of Fish and Wildlife's (WDFW) Bald Eagle Nest Site Management strategy and the State Department of Natural Resources' database review, was not provided to Ecology prior to their review. Mr. Brett Tiller (EAS) subsequently provided this letter report (w/o figures or attachments) electronically to Catherine Reed for review on 08-08-06.

Comments provided on page 6 of Ecology's letter to Mrs. Valencia (Kittitas Co. Planner) also noted that any development within 200 feet of the OHWM or the floodway (whichever is more landward) needs to be in compliance with Kittitas Co. Shoreline Master Plan (KCSMP) and buffers should be imposed through the Kittitas Co. Critical Areas Ordinance that are large enough to protect wetland functions from degradation. Ecology recommended that a functional analysis of the wetland area be completed and provided for public review and comment before the County approves the rezone.

The initial biological resources review letter report prepared by EAS on 07-19-06 included a review of the State's priority habitats and species database. In that review, two wetland areas were identified as part of the national wetlands inventory, however, those areas were several hundred meters from the Vantage Bay development footprint and as such, were not likely to be adversely affected by the Vantage Bay development. However, subsequent to Ecology's submission of the Vantage Bay Rezone Preliminary Plat comments, EAS attained updated National Wetlands Inventory data that identified an additional wetland area within 200 feet of the development footprint.



August 25, 2006

In response to this new finding, EAS conducted a functional analyses of the wetland consistent with methodologies endorsed by the Washington State Dept. of Ecology. Additionally, approximately 200 meters (600 feet) of the western-most boundary of the wetland area was delineated to assess distances nearest to the boundaries of the development's footprint. Three flagged wetland boundary points were then surveyed by Todd Lolkus Land Surveying, LLC and a depiction of the distances between the wetlands and property boundary is shown in Figure 1 below.

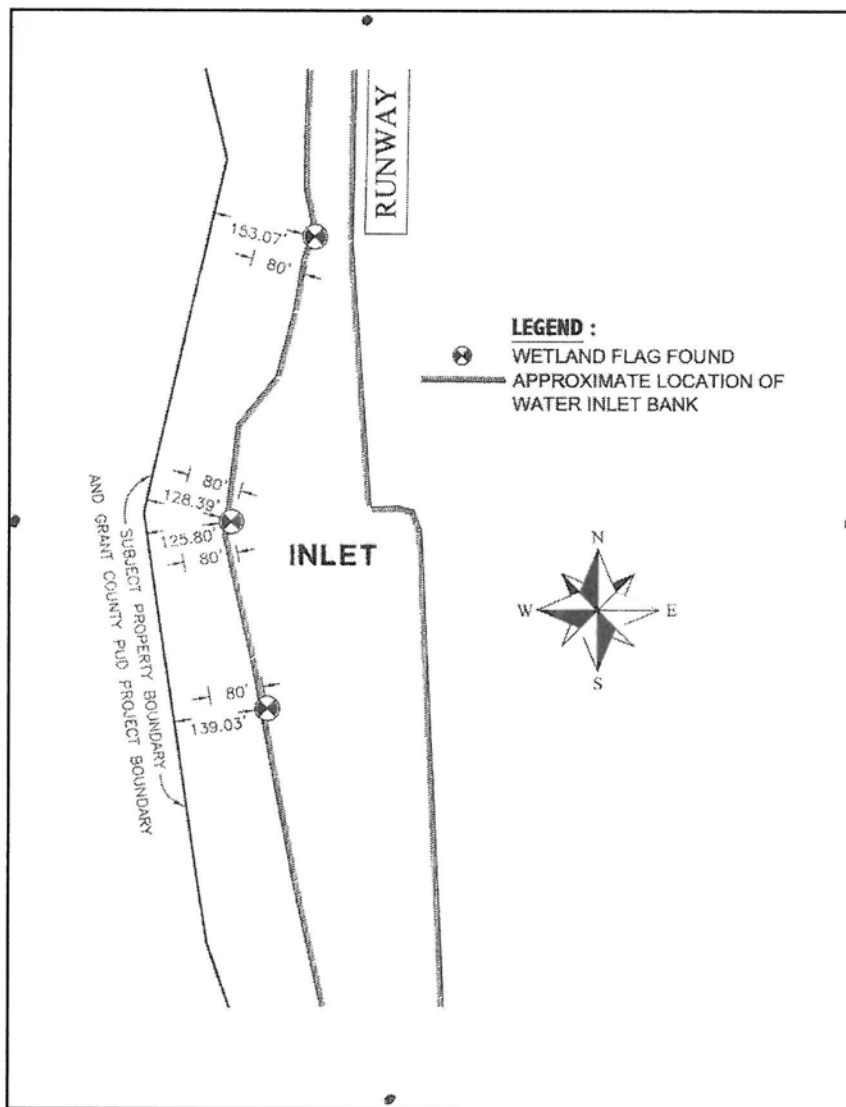


Figure 1 – Depiction of wetland points delineated as part of the Vantage Bay Rezone & Preliminary Plat.



August 25, 2006

The functional analysis indicated that the adjacent wetland qualified as a Category 2 with the possibility of being a Category 3 (the highest wetlands resource value) if site-specific surveys for special status species of plants were conducted. The Kittitas County Critical Areas Ordinance was then used to identify and administer the most protective buffer around this wetland (80ft., see Fig. 1). No further delineations or rare plan evaluations were conducted because the Preliminary Plat is over 120 feet from the wetlands area and do not intrude into the prescribed wetland buffer. The developer will provide signs at major access points indicating that the area contains sensitive wetland habitats.

This adjacent wetlands area was established or greatly enhanced by a previous property owner a number of years ago. As such, the mouth of the slough is not conducive for boat access due to a shallow underwater bar there and use of this slough by other members of the public is not expected to be affected by this project.

The project's storm water management design will likely allow percolation of the water into the slough. As a result, water temperatures in the slough may be affected; i.e. cooler temperatures in the summer and warmer temperatures during the winter. This is typically not thought to be an adverse effect because water temperatures in the Columbia River are already un-naturally high during the summers due to impoundment and temperatures in backwater areas often exceed upper lethal temperature thresholds for many native aquatic biota (such as salmon) in the Pacific Northwest. EAS recommends a baseline evaluation and subsequent semi-annual monitoring of water quality (temp, DO, conductance) and of the benthic community (macroinvertebrate community structure) for a period of three years to document possible changes in the slough due to storm water practices at the Vantage Bay Rezone and Preliminary Plat.

I hope these efforts and findings satisfactorily address the Ecology's Shoreland/Environmental Assistance comments that were provided to Joanna Valencia. Please do not hesitate to contact me with any questions or additional concerns.

Sincerely,

Brett Tiller
Sr. Scientist



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JUL 25 2006
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July 19, 2006

BCSCBN INC.
21828 87th AVE SE
Suite 200
Woodinville, WA 98072
Attn: Skip Coddington

Subject: Letter Report - Biological Resources Review of a Proposed Housing Development near Vantage, WA:

This letter serves to document an assessment of the biological resources that have been observed on or within a 1.0 mile radius of the proposed housing development near Vantage, WA. This review was performed by Environmental Assessment Services (EAS) during the spring of 2006.

Survey points of the proposed development footprint were provided by Todd Lolkus of Todd Surveyors at (509) 754-0135 to EAS during early April, 2006. EAS then converted these survey points into an Arcview™ GIS shape file and the resulting coordinates were plotted on a map that illustrated significant geographic and anthropogenic features existing on or near the proposed development area (Figure 1).

Two Washington State natural resources database requests were submitted by EAS for this development on March 22, 2006; 1) Washington Department of Fish and Wildlife (WDFW) priority habitats and species program and 2) Washington Department of Natural Resources (WDNR) for rare plants and/or element occurrences. In addition, the site was visited by B. Tiller (EAS) on 05-29-06 for an ocular assessment of the biological conditions that currently exist there. Results from both database reviews and the site visit are summarized below. Botanical surveys were not specifically conducted in the development footprint because Kittitas County does not include plants as part of their critical areas ordinance (pers. comm. with Scott Turnbull in May, 2006).

The proposed development site can be generally classified as highly disturbed habitat that has had extensive agricultural and domestic livestock use for decades. No significant natural resources (burrowing owls, ground squirrel colonies, raptor perch sites, wetlands, amphibian rearing pools, etc.) were found there during the site visit in May, 2006.



July 19, 2006

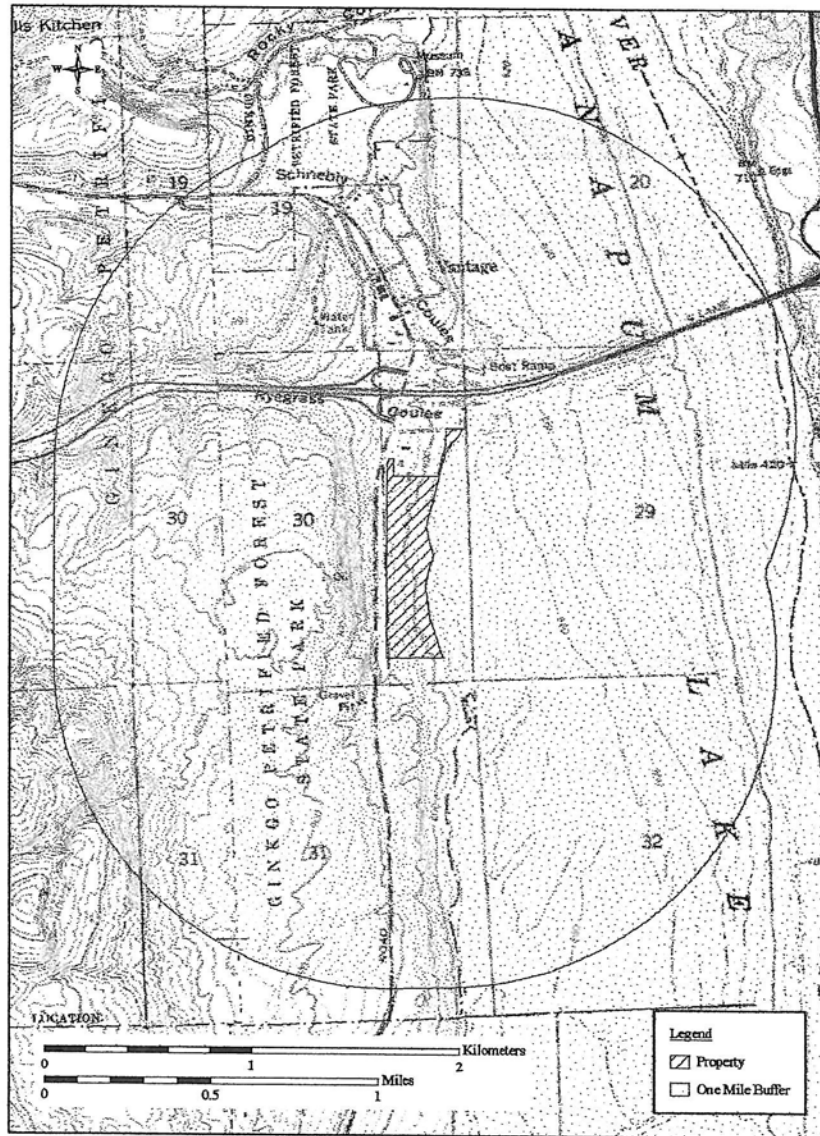


Figure 1. Depiction of proposed housing development near Vantage, WA. The figure illustrates USGS topographic features of the area, the footprint of the proposed housing development (hatched sections), the Columbia River, the existing town of Vantage, and major roadways.



July 20, 2006

Results of the WDFW database request were received by EAS on 04-21-06 and results of the WDNR database request were received by EAS on 05-05-06. No significant natural features were reported within the footprint of the development (see attachment A - letter from Wa. Dept. of Nat. Res. to Mr. Brett Tiller dated 05-01-06). There were however, three significant natural features adjacent to the proposed development footprint; 1) an active bald eagle nest, 2) a small inlet/backwater slough, and 3) areas of vegetation identified in the national wetlands inventory:

Avian Resources: An active bald eagle (*Haliaeetus leucocephalus*) nest was reported this spring approximately 1000ft to the east of the proposed housing development footprint. This nest site was first documented early in calendar year 2006, and subsequently verified by EAS and the State WDFW regional biologist (Jeff Bernetowitz [509] 457-9304). Figure 2.0 illustrates the location of this nest in context to the proposed development footprint. EAS staff consulted with WDFW in May, 2006 and provided the WDFW with a copy of Figure 2.0. WDFW staff subsequently prepared a letter to EAS to address the potential need of a site-specific Bald Eagle Site Management Plan (BESMP) for the development, consistent with State and Federal Bald & Golden Eagle Protection Guidelines. This letter was prepared on July 12, 2006 and is attached as Appendix A of this letter report. In summary, WDFW has concluded that no further actions are necessary at this time. However, if re-nesting is observed there in subsequent years, some protection measures may be necessary (see Attachment B - Letter from WDFW to B. Tiller dated July 12, 2006).

Water Resources: Adjacent to the proposed development foot-print (southern region and ~200 meters to the east) there is a relatively small back-water slough that is connected to the Wanapum pool of the Columbia River and likely provides waterfowl, amphibian, and fish habitat (see Fig.1). The slough is generally shallow (maximum depth ~6 feet) but likely contains a number of warm-water fishes during high-water periods. The slough may provide some habitat for juvenile salmonids during the rearing periods, but the lack of free-flowing water (i.e. resulting high water temperatures) and the reservoir's water-level fluctuations (potential stranding areas) limit the utility of this site as suitable juvenile salmonid habitat. Aside from possible reduction of waterfowl use caused by increased human activities near there, the slough's biological resources are not likely to be affected by the proposed development. No water from the development is expected to enter the slough as the black and grey water are to be contained [pers. comm. Skip Coddington (developer) June, 2006].

Plant Resources: WDFW priority habitats database identified a national wetlands area located east of the slough. The national wetlands area is located on adjacent property that is controlled by Grant County Public Utility District and is approximately 1000 feet away from the proposed development footprint. The national wetlands area is not likely to be affected by the proposed development.



July 19, 2006

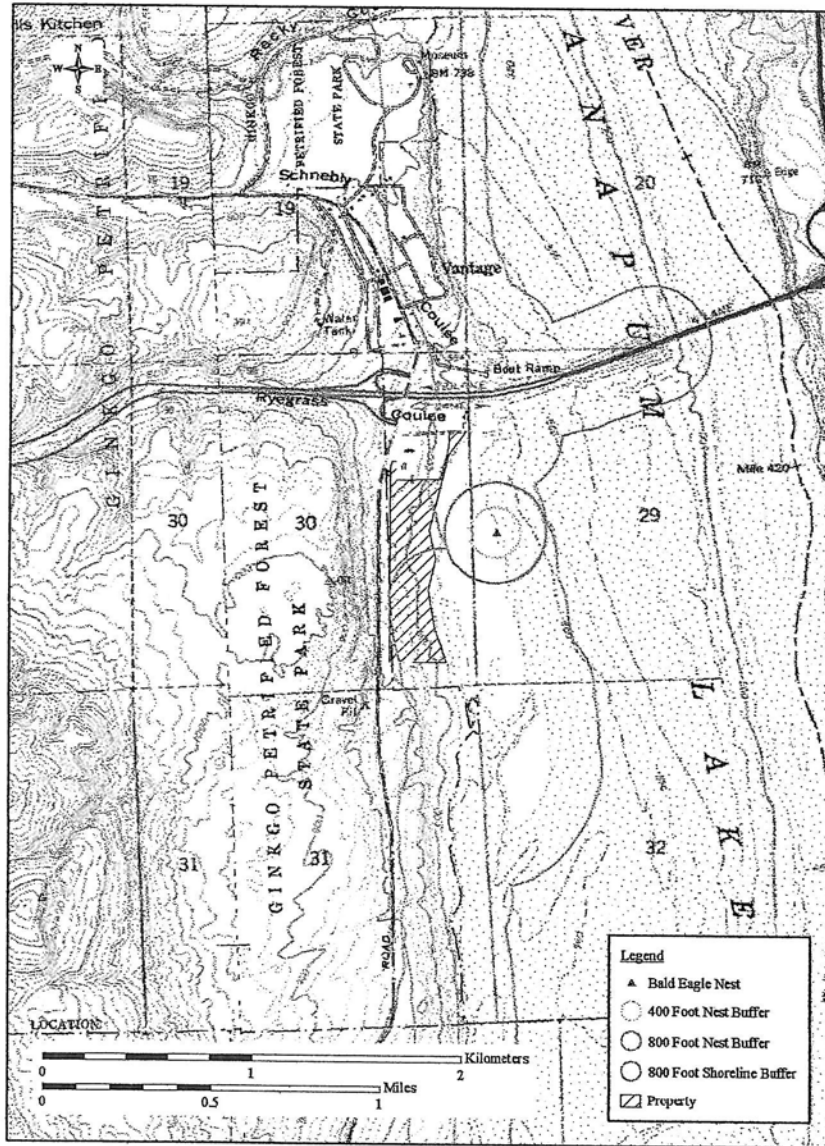


Figure 2. Bald Eagle Nest Site, 400 ft. nest buffer, 800 ft. nest buffer, and 800 ft. shoreline buffer in proximity to the proposed housing development near Vantage, WA.



July 19, 2006

This concludes EAS's initial biological resource review of the proposed housing development near Vantage, WA.

Please do not hesitate to call me at the number listed below with any questions regarding this request.

Sincerely,

Brett Tiller
Sr. Scientist

See attachments



July 19, 2006

Attachment A

Washington Dept. of Natural Resources Database Review Letter



May 1, 2006

Brett Tiller
Environmental Assessment Services
PO Box 265
Richland WA 99352

**SUBJECT: Proposed Housing Development near Vantage, Kittitas County
(T17N R23E S29-32)**

We've searched the Natural Heritage Information System for information on significant natural features in your project area. Currently, we have no records for rare plants or high quality native ecosystems within one mile of your project area.

The information provided by the Washington Natural Heritage Program is based solely on existing information in the database. In the absence of field inventories, we cannot state whether or not a given site contains high quality ecosystems or rare plant species; there may be significant natural features in your study area of which we are not aware.

The Washington Natural Heritage Program is responsible for information on the state's rare plants as well as high quality ecosystems. For information on animal species of concern, please contact Priority Habitats and Species, Washington Department of Fish and Wildlife, 600 Capitol Way N, Olympia WA 98501-1091, or by phone (360) 902-2543.

Please visit our internet website at <http://www.dnr.wa.gov/nhp> for more information. Lists of rare plants and their status, rare plant fact sheets, as well as rare plant survey guidelines are available for download from the site. Please feel free to call me at (360) 902-1697 if you have any questions, or by e-mail at sandra.moody@wadnr.gov.

Sincerely,

Sandy Swope Moody, Environmental Review and Grants Coordinator
Washington Natural Heritage Program

Asset Management & Protection Division, PO Box 47014, Olympia WA 98504-7014
FAX 360-902-1789



EAS ENVIRONMENTAL ASSESSMENT SERVICES

July 19, 2006

Attachment B

Washington Dept. of Fish and Wildlife Bald Eagle Nest Site Assessment Letter



STATE OF WASHINGTON

DEPARTMENT OF FISH AND WILDLIFE

1701 S 24th Avenue • Yakima, Washington 98902-5720 • (509) 575-2740 FAX (509) 575-2474

July 12, 2006

Brett Tiller
Environmental Assessment Services
350 Hills Street, Suite 151
Richland, WA 99354

Dear Brett:

I am writing concerning the proposed development in Kittitas County on parcels 17-23-30000-0001, 17-23-30000-0003, and 17-23-30010-0006. As you know, there had been a bald eagle nest on the side of the Columbia River about 800 feet from the proposed development. I first became aware of the nest in early March and confirmed a bald eagle incubating on March 14th. The eagle territory was name Vantage #1703. I went to the site on June 13th and found the nest tree had blown over. This was not surprising as the tree was a dying hybrid poplar. In reviewing the above parcels, I determined there was no need for a bald eagle plan or restrictions on the development to protect bald eagles. The properties are distant enough from any potential nest trees that timing restrictions on construction will not be needed. There also aren't any potential eagle perch or nest trees on the above parcels.

I am uncertain if eagles will return to the area for nesting in the future. The only trees in the area are relatively small with tight branching that wouldn't typically be good nest trees. If the eagles do return, the only concern would be human disturbance around the nest. The best course of action if eagles do return would be to try to educate the new homeowners and work with Grant County PUD (owner of land with potential nest trees) to limit disturbance directly around the nest during critical periods. WDFW would undertake that responsibility.

Sincerely,

Jeff Bernatowicz
District Wildlife Biologist
Washington Department of Fish and Wildlife