



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

June 1, 2010

Jeff Watson  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: SP-10-00007

Dear Mr. Watson:

Thank you for the opportunity to comment on the short subdivision of approximately 20.20 acres into 4 lots, proposed by Leslie and Velma Harmon. We have reviewed the application and have the following comments.

**Water Resources**

This project is located in the upper Kittitas County as defined by the Upper Kittitas Emergency Ground Water Rule Chapter 173-539A.

Any new uses of groundwater in upper Kittitas County will need to be either a permitted use authorized by the Department of Ecology (Ecology) or water budget neutral as determined by Ecology. Unless a building permit was granted and vested prior to July 16, 2006, a prospective water user shall first submit to Ecology a request for determination that the proposed use would be water budget neutral.

New groundwater pumping is allowed under the extended rule when the new use is fully mitigated. Mitigation can generally be achieved by acquiring and transferring or retiring another existing water right from the same water source to offset a new use. Please refer to WAC 173-539A, the Upper Kittitas Emergency Ground Water Rule for additional information.



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It's important to note this project is located in an area where it will be unlikely to purchase mitigation water from Suncadia Resort's water bank program. To date, Suncadia Resort's water bank program has been the source for the majority of water-budget-neutral requests. Mitigation water or water rights will likely need to come from another source.

Chapter 173-150 WAC and RCW 90.44 provide for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water, or contamination caused by withdrawal of ground water by a junior water right holder, including permit-exempt groundwater users.

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

### **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

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submit an application or contact Lynda Jamison at the Dept. of Ecology, (509) 575-2434, with questions about this permit.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by storm water runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Best management practices must be used to prevent any sediment, oil, gas or other pollutants from entering surface or ground water.

If you have any questions concerning the Water Quality comments, please contact Lynda Jamison at (509) 575-2434.

Sincerely,



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