



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 13, 2009

Ms. Allison Kimball
Kittitas Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

RECEIVED
MAY 13 2009
Kittitas County
CDS

RE: Green Pasture Short Plat, Project No. SP-08-00053

Dear Ms. Kimball:

On November 21, 2008, Kittitas County Community Development Services (KCCDS) received a plat application from D & H Ranch, Inc. for a 4-lot Short Plat.

Ecology met with the proponent on February 25, 2009 to discuss this project. At this meeting additional information was provided to clarify the subject proposal.

The comments below are intended to supersede previous comments submitted by Ecology's Water Resource Program in a letter to KCCDS dated January 27, 2009.

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a Permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e., interruption or interference in the availability of water. If water supply in your area becomes limited, your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than ½ acre of lawn and garden are irrigated.

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

Sincerely,

Mark C. Schuppe, Acting Section Manager
Water Resources Program
Central Regional Office

MCS:gh
090512



Allison Kimball

From: Keli Bender [krd.keli@fairpoint.net]
Sent: Wednesday, January 07, 2009 6:30 AM
To: Allison Kimball
Subject: Re: Notice of Application Green Pasture SP

Good morning;

The Green Pasture Short Plat will have to meet all of the KRD General Guidelines prior to approval from this office. If you need additional information, please let me know.

Keli

----- Original Message -----

From: Allison Kimball
To: Keli Bender
Sent: Tuesday, January 06, 2009 6:55 PM
Subject: Notice of Application Green Pasture SP

Hi Keli,

Please see the attached notice for your review. Thanks & have a good day.

Allison Kimball, Planner II

Kittitas County Community Development Services

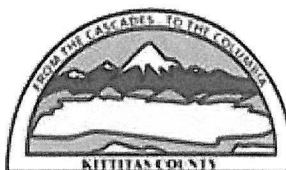
411 N Ruby Street Suite 2

Ellensburg, WA 98926

allison.kimball@co.kittitas.wa.us

P: 509.962.7506

F: 509.962.7682



"Building Partnerships-Building Communities"

All e-mail sent to this address will be received by the Kittitas County e-mail system and may be subject to Public Disclosure under RCW Chapter 42.56 and is subject to archiving and review by someone other than the recipient.

Allison Kimball

From: Keli Bender [krd.keli@fairpoint.net]
Sent: Thursday, January 29, 2009 11:25 AM
To: Allison Kimball
Subject: Green Pastures Short Plat

Allison;

I may be being redundant, but I don't see where I responded to the Green Pastures Short Plat application (SP-08-00053)
The KRD requirements will need to be met on this project. If you need additional information, please let me know.

Keli

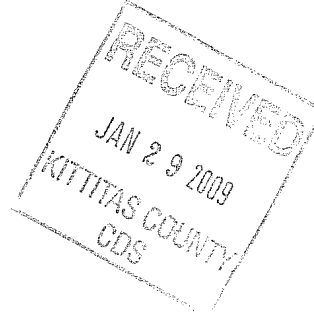
Keli R. Bender
KRD Lands Clerk/RRA
krd.keli@elltel.net



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 27, 2009



Allison Kimball
Kittitas Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Dear Ms. Kimball:

Thank you for the opportunity to comment on the short plat of approximately 40.00 acres into 4 lots, proposed by D & H Ranch Inc. [SP-08-00053]. We have reviewed the application and have the following comments.

Water Resources

Any ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology.

Chapter 173-150 WAC provides for the protection of existing rights against impairment, i.e. interruption or interference in the availability of water. If water supply in your area becomes limited your use could be curtailed by those with senior water rights.

The Attorney General's Opinion, (AGO 1997 No. 6) regarding the status of exempt ground water withdrawals, states that a group of wells drilled by the same person or group of persons, at or about the same time, in the same area, for the same purpose or project should be considered a single withdrawal and would not be exempt from the permitting requirement contained in RCW 90.44.050, if the total amount withdrawn for domestic use exceeds 5,000 gallons per day or if a total of more than .5 acre of lawn and garden are irrigated.



The Attorney General's opinion suggests that caution should be used in finding developments to be exempt from needing a water right permit, if the possibility exists that the development of the project will result in the ultimate withdrawal of water in excess of 5,000 gallons per day or the irrigation of more than ½ acre of lawn and garden.

Ecology believes this proposal, SP 08-00053 proposed by D & H Ranch Inc. to divide parcel nos. 1817360520013 & 1817360520014, is related to the following proposals previously submitted to Kittitas County Community Development Services:

<u>Short Plat No.</u>	<u>Proponent</u>	<u>Parcel Nos.</u>	<u>Date</u>
SP 07-148	SDL Properties Inc.	1817350520015 & 1817360520016	October-07
SP 07-153	D & H Ranch Inc.	1817360520004 & 1817360520005	October-08
SP 07-160	SDL Properties Inc.	1817360520008 & 1817360520012	October-08
SP 08-00051	L & D Land Corp.	1817360520003 & 1817360520009	December-08

This proposal in addition to the above proposals, result in a total of 20 lots. Ecology believes this is one project and therefore **requires a water right**.

Furthermore, all parcels described above, the parcels listed below, and parcels included in the subject short plat were all part of High Valley Ranchettes subdivision created in June 2006 and, **in combination**, entitled to **one groundwater exemption** of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden:

Parcel Nos:			
1817360520001	1817360520010	1817360520017	1817360520021
1817360520002	1817360520011	1817360520018	1817360520022
1817360520006	1817360520013	1817360520019	1817360520023
1817360520007	1817360520014	1817360520020	1817360520024

Ms. Kimball
January 27, 2009
Page 3 of 3

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

Sincerely,

A handwritten signature in cursive script that reads "Gwen Clear".

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



To Protect and Promote the Health and the Environment of the People of Kittitas County

RECEIVED

JAN 22 2009

Kittitas County
CDS

January 21, 2009

Allison Kimball, Staff Planner
Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, WA 98926

Dear Ms. Kimball,

Thank you for the opportunity to comment on the Green Pasture Short Plat, SP-08-00053. Pursuant to the Memorandum of Agreement between Kittitas County and the Washington State Department of Ecology all the future residential well connections serving the proposed lots shall be required to have meters installed. Metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.

The potable water plat note is incorrect (plat note #8). Please replace the plat note with the following:

"The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law."

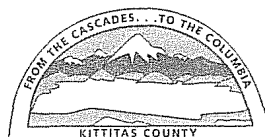
Please also include the following plat note:

"Metering will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements."

The developer/owner of the plat must provide proof of water availability before the Public Health Department will recommend plat approval. Water availability can be provided through several different ways depending on the source of water proposed.

If a public water system is proposed for the plat, the public water system information shall be submitted, reviewed, and approved by Kittitas County Public Health Department or Washington State

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F: 509.962.7581



www.co.kittitas.wa.us/health/

Environmental
Health Services
411 North Ruby Street, Suite 3
Ellensburg, WA 98926
T: 509.962.7698
F: 509.962.7052



To Protect and Promote the Health and the Environment of the People of Kittitas County

Department of Health which includes final issuance of the well ID number to meet the water availability requirement for plat approval.

If individual wells or shared wells are proposed for the parcels and there is an existing well located on the plat, a well log from Washington State Department of Ecology will meet the water availability requirement. If there is not an existing well on the plat, then a water availability report with documentation and evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells must be submitted for review.

At this time the application does not contain sufficient information to make a determination of adequate water availability. The above mentioned items need to be submitted to the Public Health Department in order for your plat application to be recommended for final approval.

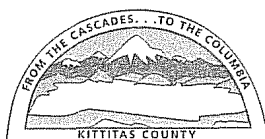
If you should have any further questions please don't hesitate to contact me by phone 509-962-7005 or email james.rivard@co.kittitas.wa.us.

Sincerely,

James Rivard

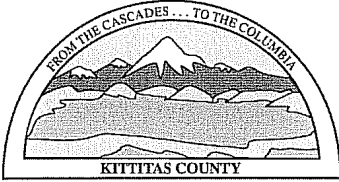
James Rivard
Environmental Health Specialist II

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
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T: 509.962.7515
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KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Allison Kimball, Community Development Services
FROM: Christina Wollman, Planner II *CW*
DATE: January 26, 2009
SUBJECT: Green Pastures Short Plat SP-08-00053

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JAN 28 2009

Kittitas County
CDS

Our department has reviewed the short plat application and has the following comments:

“Conditional Preliminary Approval” is recommended based on the information provided. See below for conditions of preliminary approval.

“Additional Information Requested”. Prior to continuing the approval process for the submitted development, additional information is requested for analysis.

The following shall be conditions of preliminary approval:

1. Timing of Improvements: This application is subject to the latest revision of the Kittitas County Road Standards, dated 9/6/05. The following conditions apply and must be completed prior to the issuance of a building permit for any of the residence within this plat. A Performance Bond or acceptable financial guarantee may be used, in lieu of the required improvements, per the conditions outlined in the current Kittitas County Road Standards.
2. Private Road Certification: Private roads serving any of the lots within this development shall be inspected and certified by a licensed professional engineer for conformance with current Kittitas County Road Standards, 9/6/05 edition. Kittitas County Public Works shall require this road certification to be completed prior to the issuance of a building permit for any of the structures within the proposed plat.
3. Access: All access shall be from the private road. No direct access to Cove Road will be allowed.
4. Private Road Improvements: Access from Cove Road to the cul-de-sac shall be constructed as a Low-Density Private Road. See Kittitas County Road Standards, 9/6/05 edition.
 - a. Access easements shall be a minimum of 60' wide. The roadway shall have a minimum width of 20', with 1' shoulders, for a total width of 22'.

- b. Minimum centerline radius will be 60'.
 - c. The surface requirement is for a minimum gravel surface depth of 6".
 - d. Maximum grade is 12%.
 - e. Stopping site distance, reference AASHTO.
 - f. Entering site distance, reference AASHTO.
 - g. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
 - h. Any further subdivision or lots to be served by proposed access may result in further access requirements.
 - i. All roads located within this development or roads that provide access to this development shall be constructed to current county road standards unless any other maintenance agreements, forest service road easements or state easements require higher road standards. The higher of the road standards shall apply.
 - j. All easements shall provide for AASHTO radius at the intersection of county road.
 - k. A paved apron shall be constructed at the intersection of the proposed private intersection and the county road right of way.
5. Cul-de-Sac: A cul-de-sac turn-around having an outside right-of-way or easement diameter of at least 110 feet shall be constructed at the closed end of all dead-end roads serving 3 or more lots. The driving surface shall be at least 96 feet in diameter. Cul-de-sacs must also conform to the requirements specified by the 2006 International Fire Code. Contact the Fire Marshal regarding any additional cul-de-sac requirements.
6. Private Road Maintenance Agreement: The applicant shall meet all applicable conditions of any pre-established or required Private Road Maintenance Agreements.
7. Lot Closure: It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
8. Access Permit: An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right of way.
9. Addressing: Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
10. Fire Protection: Contact the Kittitas County Fire Marshal regarding any additional access requirements for Emergency Response.
11. Mailbox Placement: Mailboxes must be approved by U.S. Postal Service. Mailbox locations are site specific. Contact your local Post Office for location and design standards before beginning construction.

Current Kittitas County Road Standards, as adopted 9/6/05.

Chapter 12 – PRIVATE ROADS

12.12.010 General

Private roads shall meet the following conditions:

1. Private roads shall meet the minimum access requirements of the International Fire Code as adopted by the County, and
2. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400) 2001, as now exists or hereafter amended, and
3. Shall be inspected and certified by a licensed professional engineer for conformance with the above referenced standards. In the alternative, an applicant may request the private roadway to be inspected and subject to the approval of the Public Works Director. If certification by the public Works Director/County Engineer is desired, submission of road plans and necessary testing documentation that confirms compliance with Kittitas County Road Standards is required, and services will be performed on a reimbursable basis, and
4. Permanently established by an easement recorded with the Kittitas County Auditor or right-of-way, providing legal access to each affected lot, dwelling unit, or business, and
5. Will not result in land locking of existing or proposed parcels, and
6. Maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and
7. Clearly described on the face of the plat, short plat, or other development authorization and clearly signed at street location as a private street or road, for the maintenance of which Kittitas County is not responsible and a disclosure statement of the same is filed with the County Auditor, and
8. The following note shall be placed on the face of the plat, short plat, or other development authorization:

"Kittitas County will not accept private roads for maintenance as public streets or roads until such streets or roads are brought into conformance with current County Road Standards. This requirement will include the hard surface paving of any street or road surfaced originally with gravel."

Please let me know if you have any questions or need further information.



To Protect and Promote the Health and the Environment of the People of Kittitas County

November 24th, 2008

D & H Ranch Inc
620 SE Everett Mall Way Suite 360
Everett, WA 98208

RE: Green Pasture Short Plat (SP-08-00053) submission fee received
(\$380.00/receipt #3712)

Dear D & H Ranch Inc:

We have received the application for your proposed short plat (located in Section 36, Township 18N, Range 17E.W.M., off of Cove Road).

Enclosed is a checklist and detailed instructions for completing the Environmental Health requirements.

Your plat application will not be approved until you meet the enclosed requirements.

Once we have received and reviewed the required information, we will notify Community Development Services that you have satisfactorily addressed health department requirements.

If you have any questions or concerns, please feel free to contact our office.

Sincerely,

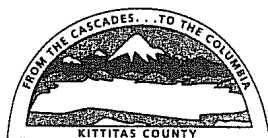
A handwritten signature in black ink that reads "Cathy Bambrick".

Cathy Bambrick, Public Health Administrator
Kittitas County Public Health Department

cc: Community Development Services, Cruse & Associates

Enc: Checklist, Instructions for Completing EH Requirements, Soil Log Requirements

Kittitas County
Public Health Department
507 N. Nanum Street, Suite 102
Ellensburg, WA 98926
T: 509.962.7515
F: 509.962.7581



1
www.co.kittitas.wa.us/health/

Environmental
Health Services
411 North Ruby Street, Suite 3
Ellensburg, WA 98926
T: 509.962.7698
F: 509.962.7052

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Checklist

Prior to receiving approval of the above listed plat you must meet WAC 246-272-205(1) and WAC 246-272-095(1) by:

1. Proving there is an adequate supply of potable water

Choose and follow instructions for one of the five following options:

Group “A” public well

Provide written approval from Washington State Department of Health

Group “B” public well

Schedule a well site inspection or site inspection with Public Health as the first step toward approval of a group B system (the Group B system must be approved prior to plat approval)

Individual wells

Provide a well log or hydrogeological report to prove adequate ground water exists for the proposed number of potable water wells (see page 4). If a well log is used provide potable water test results.

Shared two-party well

Submit existing well log and a water user’s agreement signed by both parties

Public utility water supply

Submit a signed letter of agreement from a public utility official

AND

2. Proving satisfactory sewage disposal

Choose and follow instructions for one of the two following options:

On-site sewage

You must schedule a soil log and prepare the site (dig holes)

Public utility sewer

You must submit a signed letter of agreement from the public utility official

Instructions for Completing Environmental Health Requirements

I. ADEQUATE POTABLE WATER SUPPLY:

PUBLIC UTILITY WATER SUPPLY APPLICANTS

Submit a signed letter of agreement with the responsible public utility official and the developer/owner, granting delivery of potable water for the entire development.

PUBLIC WATER SYSTEMS

All Public Water System applicants must contact a Satellite Management Agency (SMA) before initiating the application process. Evergreen Valley Utilities (509) 674-9642 and Lookout Mountain Utilities Management (509) 674-6989 are the current SMAs.

PUBLIC GROUP "A" WELL

If you have an existing well and a Department of Ecology issued "water right" for potable usage of the well, Washington State Department of Health (DOH) is the regulatory authority for approving Group A systems. We require written verification that DOH has approved the system prior to final plat approval (see contact information below). If you have not secured a water right for potable use you must contact the Washington State Department of Ecology (Central Region Office) located in Yakima, Washington to begin the process of obtaining a water right. Their contact number is: (509) 575-2800.

PUBLIC GROUP "B" WELLS

Washington State Department of Health and Kittitas County Public Health Department share the regulatory authority for approving Group B Water Systems in Kittitas County. The process for approval includes a source site inspection to approve the location of the proposed well or if the well exists to ensure that it meets the criteria for approval; drilling of the well and/or ensure that the well is located within the subdivision boundaries; completion of the well infrastructure, the workbook and all related documentation including testing and satisfactory results.

****All Group B applications with 3-9 connections should be submitted to Kittitas County Public Health Department; all Group B applications 10-14 connections should be submitted to Washington State Department of Health at the addresses provided below.**

Kittitas County Public Health Department
Environmental Health Division
411 N. Ruby Street, Suite 3
Ellensburg, WA 98926
(509) 962-7698

Washington State Department of Health
1500 W. 4th, Suite 305
Spokane, WA 99204
(509) 456-2453
ATTN: Tom Justus, Regional Engineer

After all of the aforementioned information is submitted, reviewed, and approved by Washington State DOH, final issuance of the well ID number completes the requirement.

INDIVIDUAL WELLS

Submit well logs or a hydrogeological report with documentation/evidence to support the claim regarding adequate availability of groundwater for the proposed number of potable water wells. This report shall be submitted by a Professional Engineer who practices in the field of hydrology or by a licensed Hydrogeologist. According to Critical Areas Ordinance 17A.08.25, individual wells must be located 50 feet from all property lines. To obtain well logs, contact Department of Ecology at (509) 575-2490.

After July 8, 2008 all applicants for subdivision (short and long plats) utilizing wells shall have a note placed on the face of the final mylars that states:

“The approval of this division of land includes no guarantee that there is a legal right to withdraw groundwater within the land division. The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law. “

AND

“Metering will be required on all residential well connections and metering results shall be recorded in a manner consistent with Kittitas County and Washington State Department of Ecology requirements.”

II. SATISFACTORY SEWAGE DISPOSAL

PUBLIC UTILITY SEWER

Submit a signed letter of agreement between the responsible public utility official and the developer/owner or other documentation that provides proof of connection to public sewer.

ON SITE SEWAGE

Soil logs will need to be scheduled and dug at a mutually convenient time. The developer/owner shall provide soil logs as per WAC 246-272A or as amended (see attached soil log instruction sheet). The information obtained will be recorded and placed in the plat file for future reference. The information obtained from these soil logs is for plat approval purposes only and does not constitute a site evaluation in conjunction with the issuance of a permit for any specific lot.

SET BACK REQUIREMENTS

A well must be located 50 feet from a septic tank and 100 feet from a drain field.

Soil Log Requirements for Land Division

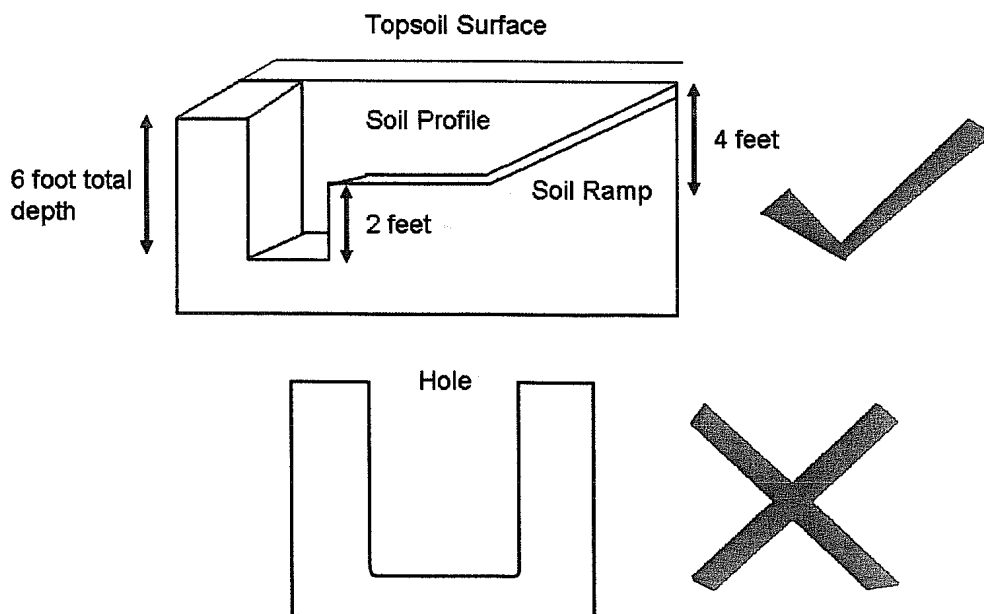
Purpose: The purpose of a soil log is to ensure that future property owners can be assured that they will be able to install a septic system on the property. A soil log is performed to

ensure that suitable depth and type of soil is present on the property prior to final plat approval.

Since the type of soil and water source supplying the property can ultimately determine the minimum lot size, it is recommended that soil logs be conducted early in the plat planning process.

Requirements: In order for a soil log to be conducted, test holes must meet specific criteria according to Washington Administrative Code (WAC), Kittitas County Code (KCC) and Labor and Industries safety standards.

- 1) A minimum of one soil log per lot shall be dug to a depth of six feet, unless an impermeable layer such as bedrock, hardpan clay, or the existing water table prevents such a depth from being obtained. In some instances, additional holes may be required to determine if the minimum standards for septic support are present on the lot.
- 2) The design of a test hole shall be sloped to four feet beneath surface, leveled and then dug down an additional two feet for a total depth of six feet (see the diagram below for reference). Such a test hole is designed to prevent possible injury as a result of the surrounding soil bank collapsing into the test hole and to grant the local health officer ease of access to the soil profile.
- 3) In order to sub-divide property at least twelve inches of native, suitable soil must be present at the time the soil log is performed.
- 4) A soil log does not constitute a site-evaluation. A site evaluation determines the type of septic system required. A soil log only determines whether soils present on the property can support a septic system.



Minimum Land Area Requirements: According to the WAC 246-272 the minimum land area requirement from a public health perspective for subdivision of property is determined by the source of the drinking water and the soil type present to support an on-site sewage system (Table X). These guidelines have been put in place to protect human health and the environment from the potential health hazards that an on-site sewage system imposes. The type of water source available and soil type present must be determined by the local health officer. However, other minimum land area requirements may be subject to local government zoning regulations and restrictions, and it is advisable that property land owners seek advice from Community Development Services at (509) 962-7506 for assistance in this area.

TABLE X
Minimum Land Area Requirement
Single-Family Residence or Unit Volume of Sewage

Type of Water Supply	Soil Type (defined by WAC 246-272A-0220)					
	1	2	3	4	5	6
Public	0.5 acre	12,500 sq. ft.	15,000 sq. ft.	18,000 sq. ft.	20,000 sq. ft.	22,000 sq. ft.
	2.5 acre ¹					
Individual, on each lot	1.0 acre	1 acre	1 acre	1 acre	2 acres	2 acres
	2.5 acres ¹					

¹ See WAC 246-272A-0234(6).

Other Considerations: Since open holes present a potential danger to people, livestock, wild animals, and vehicles, it is advisable that such a hole be roped off or covered to prevent unwanted entry or marked to caution and facilitate finding. After the soil log has been performed the hole may be filled in by the property owner or contractor to eliminate the potential hazard.

Scheduling a soil log: Currently, soil logs are performed on a weekly basis by an Environmental Health Specialist. To schedule a soil log please contact the Environmental Health Office at 411 N. Ruby Street (509) 933-8261 to arrange an appointment.