



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

April 21, 2022

Planning Department/City Heights
City of Cle Elum
119 West First St.
Cle Elum, WA 98922-1105

In future correspondence please refer to:

Project Tracking Code: 2022-04-02539

Property: City of Cle Elum_City Heights Phase 2 Preliminary Plat (SUB 22-001)

Re: Survey Requested

Dear Planning Department:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. While the proposed project area has been previously surveyed, that survey included only minimal subsurface testing. Identification of buried sites during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).



Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending from the end.

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*1250 W Alder St • Union Gap, Washington 98903-0009 • (509) 575-2490
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

April 20, 2022

Virgil Amick
City of Cle Elum
119 W First Street
Cle Elum, WA 98922

Re: City Heights Phase 2

Dear Virgil Amick:

Thank you for the opportunity to comment on the Notice of Application for the City Heights Phase 2 project. The Department of Ecology (Ecology) has reviewed the application and has the following comments.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

Thank you for the opportunity to provide comments to this project as it pertains to the Shoreline Management Act of 1971, RCW 90.58; State master program approval/amendment procedures and master program guidelines, WAC 173-26; Wetlands 90.48; and Shoreline management permit and enforcement procedures, Chapter 173-27 WAC.

The proposed development and activities must be consistent with local Critical Areas Ordinances and demonstrate avoidance and minimization where ever applicable. Applicants are required by state and federal permitting agencies to show that they have followed mitigation sequencing and have first avoided and minimized impacts to wetlands wherever practicable, Kittitas County Code 18.20.070. For more information and sample checklists, see <http://www.ecy.wa.gov/programs/sea/wetlands/avoidance.html>.

As stated by the county, the Applicant shall obtain and provide copies to the City of all required state and federal permits and approvals prior to beginning construction in any streams, wetlands, steep slopes, or any other critical area or their buffers, as part of the updated Phase 2 preliminary plat application materials.

The Wetlands and Wildlife Report is a memo dated November 3rd 2010 provided by Sewall Wetland Consultant, there in intent to determine if Stream E carries water. More information is necessary to determine if all Critical Areas will be adversely affected. If Critical Areas can be impacted by buffer or direct impact in clearing and grading, it must be determined and identified in

the field prior to clearing and grading construction activities pursuant to avoidance and minimization sequencing RCW 90.48 and 90.58 and Kittitas County Code Chapter 18.20.020 and 18.20.060.

Ecology staff is available to provide technical assistance to the local jurisdiction by reviewing wetland delineations, ratings, and verifying provided wetland and ordinary high water mark determinations in the field. It is recommended that additional information is provided and reviewed prior to clearing and grading approval.

Please contact **Alicia Schulz**, Shorelands and Environmental Assistance, alicia.schulz@ecy.wa.gov or (509) 454-4260 if you have any questions about the comments provided.

WATER QUALITY

Project with Potential to Discharge Off-Site

The 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 disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and 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 **Wendy Neet** at the Dept. of Ecology, (509) 454-7277 or email wendy.neet@ecy.wa.gov with questions about this permit.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov

Virgil Amick

From: Adrian Hayden Hopkins <adrian@roseandsparrowfloral.com>
Sent: Friday, April 22, 2022 8:45 PM
To: Planning
Subject: City Heights

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

My name is Adrian Hopkins & I am Owner & Lead Designer at Rose & Sparrow Floral Design, a wedding & event design studio based in Cle Elum. I rent the downstairs unit in my friends' home (they live upstairs) at 604 E 3rd St. I moved here from Snoqualmie 4 years ago to find a more affordable living situation to start my business, and to fill a need for a local wedding designer. Since then, despite Covid, my business is thriving & I am now the preferred vendor for Suncadia, Stonehouse 101 in Roslyn & Brightside Vintage Farms in Ellensburg. I am grateful for this community and have every hope that it grows & thrives as much as I've had the opportunity to here. I am writing to voice my concern about the City Heights development, at least at this point of Stage 2, since I only recently last summer heard about the plan of action.

I was riding my mountain bike on my regular loop from my house, up Montgomery & the fire road, over across amazing trails on Cle Elum ridge down to (what was then) Coal Trax bike park, up the fire road over to old dirt bike trails to climb up to the "famous" Rat Pak trail, down it all the way back to Cle Elum, and was going to take all different trails back to my house. I was stopped short on the return to fresh tape and excavators driving around the Summit Drive area, and a new huge sign describing the City Heights development. In the course of a couple hours I was heading home & couldn't get back to my house because everything in that neighborhood had been taped off and shut down. Instead of backtracking and climbing another 1000 ft and 10 more miles to get back around to the Coal Mine trail like I guess I was supposed to, I was too tired so I did about half that climbing up a different fire road back over the ridge, dodging trucks. I was broken hearted to discover the best hidden gem, the Coal Trax Bike Park, was getting shut down, and potentially all the incredible trails connected to it over that ridge line that had basically 'sold' me on moving here in the first place.

I raced downhill & enduro mountain bikes professionally for 10 years prior to retiring and starting my business in 2017. Though I ride more conservatively these days & for fitness, I was sold on moving here MAINLY FOR THE REASON OF HAVING CLE ELUM & ROSLYN RIDGE accessible for outdoor recreation. This town is a gold mine in terms of potential for mountain bike tourism & hiking enthusiasts (and now I realize also millionaires willing to invest in high risk properties where wildfire could destroy their lots anytime.) I realize my voice may not mean much to whoever is reading this, but not only are all the public access trails already being bought up, but any younger people looking for "affordable housing" aren't going to be interested when all the trails are wiped out. In my opinion, this town already seems to want all their kids on drugs after ripping out the most beloved Coal Trax Bike Park. I hate to sound crude, but honestly, that was the best place for kids to hang, gain confidence, build skills, make friends, have fun, exercise, and learn to work together. The youth mtb club here is really special. I met so many people at the park after moving here and was so inspired by gangs of youngsters from ages 4-44 (+)! There are tons of amazing trails that my friend John built that run across Cle Elum ridge for the best loops, and Dru Brew is positioned perfectly for mountain bikers to ride in & out if more trails were developed. After hearing about City Heights, I decided to relocate back to the westside, since in my opinion if I can't access this ridge I'd rather not be here. My partner & I are now looking at purchasing a home together near Snohomish or Arlington instead, where there are more mountain bike & recreation opportunities nearby. Without the ridges accessible for more recreation here, this is just a highway town where people will keep jamming up Main Street to buy gas & snacks on the way in & out, and the millionaires, after they've bought up their land & homes won't want much to do with the local businesses anyways.

Roslyn's leading the way in trail building (which unfortunately has been terribly compromised by the Nature Conservancy, and the oldest most beloved trail Rat Pak has been completely ruined when they could have logged around it...besides just having no idea the size and scale of the mountain bike community in WA state of how many people actually visit from out of town to ride here and keep small businesses going.) I feel it would be better for the community (ESPECIALLY THE YOUTH!) to have access to these ridge lines & trail networks, whether they mountain bike or hike, walk, explore, horse ride, etc. I actually can't believe there wasn't another bike park in the works if the city knew this development was going to be happening & Coal Trax would be shut down. I don't see any reason why there can't be a compromise with building further back on the hillside and leaving the ridge trails & parks for public recreation use. It's so much of a waste in my opinion. I acknowledge that my point of view and experience is very limited, and I realize there are many sides of the equation (I'm not a politician, I'm not a forest service worker, I'm not a developer, etc) but I do think I represent a large demographic of younger individuals being pushed out of places they're from, trying to find other places where they can afford to buy homes, and I know a lot of people looking to this area...at least if not to live, they love to visit and support the local economy. Young people growing up here won't necessarily be able to stay here either, but at least give them a chance to love where they're from and have some pride in what this place has to offer. I love that I can go out my back door and walk into the woods. I don't have to own it. I think that's what makes the state so great. We share it. Please reconsider what your town, AND ITS PEOPLE, are worth. Thanks for taking the time to read this far.

Adrian

--

Adrian Hayden Hopkins

Owner, Lead Designer @ Rose and Sparrow

Rose and Sparrow Floral Design

roseandsparrowfloral.com

fb/insta/pin: roseandsparrowfloral

415-652-0346

City of Cle Elum

April 22, 2022

Cle Elum WA 98922
119 W 1st
Cle Elum WA 98922

Honorable Mayor
Council Members
Planning Commission

Regarding the application from City Heights to begin construction on Phase 2 we would like to offer 2 comments.

How can the developers expect to be permitted to begin construction on Phase 2 when 2 critical elements of the project have not been addressed in Phase 1, that will impact all phases.

Our concerns are that of ingress and egress to this new development. The contract clearly states that 4 access routes will be established. At this time Montgomery, Columbia and Stafford have been identified by the developer as access routes. The 4th route has not been identified or secured. The Stafford Street access route is not adequate, safe or practical in its current state. We realize that options to improve Stafford are being explored yet no solution has been reached.

Until these access routes are identified, acquired, established and improved, we ask that no further development permits be issued.

It is not our intent prevent this development, only to ensure practical, adequate and safe access routes.

Thank you

Steve Jones
Nancy Jones
509 W 6th Street
Cle Elum WA
98922
Jones_7hill@msn.com

FW: City Heights

Planning <planning@cleelum.gov>

Mon 4/11/2022 7:13 AM

To: Greg Dohrn <gdohrn@cleelum.gov>; Gary Berndt <gberndt@cleelum.gov>; Meagan Hayes <mhayes@cleelum.gov>

Cc: Kathi Swanson <kswanson@cleelum.gov>

From: jackman@reagan.com <jackman@reagan.com>

Sent: Sunday, April 10, 2022 12:27 PM

To: Planning <planning@cleelum.gov>

Subject: City Heights

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

The City Heights development Phase 2 preliminary should NOT be approved.

1) Why would the city approve Phase 2 when the final approval for Phase 1 has not yet been approved? To date, the Sponsor (developer) has demonstrated that they CANNOT BE TRUSTED as they have already committed numerous violations and been fined during infrastructure construction. The City needs to hold the Sponsor's feet to the fire, until they consistently prove over a substantial period of time, that they will accurately follow all rules, regulations, and codes.

2) It is ABSOLUTELY VITAL that the Sponsor be held accountable to choose a location, make arrangements/acquire necessary land, and build the westbound FOURTH main access. The Sponsor should be required to contractually agree to it in writing. For various reasons, including SAFETY, NO OTHER PHASE should be approved until the construction of the fourth access is COMPLETED.

3) Why would the city approve Phase 2 when the main access for Phase 1 and 2, the very complex Stafford Avenue project, has yet to be completed?

4) To this point, the Sponsor has not been a good steward to the community, has shown no interest in common sense compromise, and has used "bullying tactics" against the city of Cle Elum (including the \$19 million law suit against the city). The Sponsor clearly has only its own best interest in mind and not that of the community.

For all these reasons and many more, do not approve the Phase 2 preliminary for City Heights.

Jack

Cle Elum resident

Virgil Amick

From: jackman@reagan.com
Sent: Sunday, April 10, 2022 12:27 PM
To: Planning
Subject: City Heights

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For all these reasons and many more, do not approve the Phase 2 preliminary for City Heights.

Jack
Cle Elum resident

City of Cle Elum
119 W 1st
Cle Elum WA 98922

April 22, 2022

Honorable Mayor
Council Members
Planning Commission

It has been brought to our attention that there has been a request by the developers of the City Heights Project to draw water from fire hydrants located on W 6th Street in the #7 Hill Neighborhood to be used for dust abatement and other incidental uses associated with construction.

We respectfully ask that this request be denied for several reasons.

First and foremost is water quality and safety to residents located adjacent to these hydrants. Both of us are past members of the Cle Elum Fire Department and have experience in flushing hydrants. This was a common practice in years past, but in the late 80's to early 90's this practice was abandoned as water flowing from the hydrants disturbed sediment in the water mains and led to contaminated water. Our water line leaves the main just 8 feet from the hydrant closest to the project. In years past when this hydrant was used, we had mud, sand, rust and other debris coming out of our faucet for several days.

Secondly, travel on city streets within the # 7 hill neighborhood is restricted to residential traffic. Construction traffic is required to use Alliance Road for access to their project site. No truck traffic should be permitted on W 6th street for any reason.

Third, a water fill station is located at the South Cle Elum Ball Park and specifically fits the needs of the developer where payment for water used will be made at the time it is delivered leaving no chance for oversights in billing for water used.

Thank you

Steve Jones
Nancy Jones

City Heights mixed use Development
Proposed phase 2
Preliminary Plot

Sirs:

We are property owners East of Cle Elum. We would hate to see more roads and plots extending without the proper easements required from land owners or forcing people to give easements.

I think they should just do small amounts of housing and see how the area handles it and the city can handle its commitments.

The wild life should be considered also. So many people are pushing them out of the mountains.

Thank you.

Frank Maglietti

381 Airport Rd

Cle Elum.

Frank Maglietti

To: Planning Department City Heights

Date: April 14, 2022



We are writing this letter to voice our concerns regarding the proposed Phase 2 Preliminary Plat Application.

As in Phase 1 we have the same concerns for Phase 2 that still have not been successfully resolved. They are as followed



- Sustain the safety and welfare of the residents of our neighborhood.
- Ensure the integrity of the existing neighborhood is valued and not destroyed.
- Maintain and preserve the existing No.7 mine artifacts that our community was built on.

The big question remains that if in the original Master Plan Agreement in 2011 there were to be FOUR main accesses to the development why has this not been established and resolved before pushing forward? Having Stafford Street as the primary route is not realistic or safe with the amount of projected traffic nor would it even be considered in today's standards of construction. There is also the potential threat of trapping residents during an evacuation of a wildfire due to only one exit. Please consider this with the additional homes and population. As stated, many times the Alliance Road is the most reasonable, logical and safest route.

It also seems irrational to continue pushing forward into Phase 2 when Phase 1 has been and continues to be met with many challenges. Have the previous infractions with the outside agencies been resolved from Phase 1?

Again, we are willing to work with the City and Project Sponsor and want to be involved. We are not trying to derail or prevent the City Heights development as that would be unrealistic and naïve. Our goals are actually very simple, to protect what our community and neighborhood was founded on while introducing change and growth ensuring that development is done the right way. Thank you for considering our concerns and keeping communications with your citizens open and straight-forward. Wisdom makes the decisions today that it will be comfortable with tomorrow.

Respectfully,



Gordon Jones

511 West 6th St.
Cle Elum, Wa.
98922

Carolyn Jones

No.7 Hill Historic Preservation Committee

Virgil Amick

From: JK Murphey <renomurfs@icloud.com>
Sent: Friday, April 22, 2022 1:50 PM
To: Planning
Subject: City Heights

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi, I would like to comment on the City Heights development.

I have read the recent comments and those from two years ago and I hope you have too as I will try and not get in the finite details of streets, homes and landmarks harmed by this proposal and previously detailed by others. I am somewhat surprised that due to the large amount of waterways and potential habitat harm that the appropriate agencies haven't weighed in more strongly.

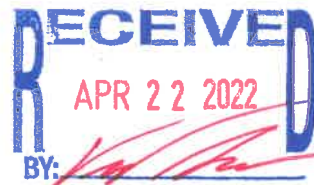
I understand that growth is inevitable to the city of Cle Elum, however, what I don't understand is the doubling or tripling of growth in a relatively short amount of time with the three current massive developments in the planning stage. The city/county planners of this rapid growth must have a plan on file with the city/county to detail the continual growing of the infrastructure, and my belief is the developer(s) are the ones who should pay for it, as in a big check to the city before they get started. Otherwise the developers will grab their cash and be gone while the residents will be left holding the infrastructure Improvement bag. Whoever decided 11 years ago that a public meeting was not needed were sorely mistaken...and should be ashamed of themselves.

This decision to put 972 homes above the city seems daunting and an obnoxious overreach of greed and destruction. I am not opposed to City Heights per se, I just believe it should be scaled back to a third or quarter the amount of homes, more open space and not a bunch of feel good dinky parks, and if past performance by the developer is any indication, poor roads, trails and bike paths. The greed of the builder is too clear to not see. I am concerned that the plans have left a lot of loopholes with nebulous words of "non city lots" and "potential roads".... I hear one of the plans is to put a road right next to an elderly disabled couples house...because he can. That is vindictive and not what the intent of a variance means to me.

Infrastructure plans for: water/sewer/roads/drainage/schools/law enforcement, items that were nebulously mentioned would have been flushed out in an open meeting. This reeks of back room dealing and a money grab.

I encourage an open meeting and a thorough plan formed that has to be abided to by the letter. And a large amount of money to the city to pay for future infrastructure expenses, over time, and where declaring bankruptcy won't prevent the infrastructure money from disappearing.

J.K. Murphey
P.O. Box 311
Cle Elum, Washington 98922



Comments on City Heights

4-22-22 EARTH DAY

Please do not allow the project to proceed BASED ON A FLAWED ENVIRONMENTAL REVIEW done in 2010. It WAS INADEQUATE in 2010 AND WHOLLY UNACCEPTABLE in 2022. This project has NO CAPACITY in the REGIONAL WASTEWATER PLANT OR AGREEMENT. Cle Elum is OVER its CAPACITY SHARE AND CANNOT give to the developer CAPACITY THAT BELONGS to Roslyn or SUNCADIA. MAYBE the developer CAN PURCHASE the NECESSARY ERU'S FROM SUNCADIA'S Bullfrog ALLOCATION.

The 2010 EIS CLAIMED it could Treat WASTEWATER FROM 962 homes FOR \$8,600 per year. Cle Elum charged Roslyn + RONALD \$91,000 FOR 719 homes THAT year. Roslyn commented on this FLAWED PLAN BUT it WAS ADOPTED ANYWAY. MANY mistakes I CAN show you.

In the 2010 EIS peak flows of wastewater were estimated to be 931,000 gallons per day. Average flow 213,000 gallons per day.

NO ANALYSIS OF the impact of these additional flow to the regional plant and discharges to the YAKIMA River.

NO ANALYSIS OF storm water runoff impacts to the YAKIMA River have been done.

Are DOE AND the YAKIMA tribe to be notified about this project.

The difference between avg and peak flow should be explained.

more storm water to the regional system by a new developer should not be allowed.

Wastewater capacity at the plant is not unlimited. What does the NPDES permit allow??

NO ANALYSIS OF THE IMPACT OF ADDITIONAL POLLUTION LOADING TO THE WASTEWATER PLANT AND YAKIMA RIVER DISCHARGES.

CAPACITY AT THE PLANT IS NOT UNLIMITED.
WHAT DOES NPDES PERMIT ALLOW?

HAVE DOE AND THE YAKIMA TRIBE BEEN CONTACTED ABOUT THIS PROJECT?

STORM WATER POLLUTION FROM RUNOFF HAS NOT BEEN ANALYZED.

PORTIONS OF THE CITY HEIGHTS DEVELOPMENT HAD LOTS PLATTED UNDER POWERLINE, ON TOP OF TOXIC MINE TAILINGS AND NEXT TO ROSLYN SEWER LAGOON.

THE 2010 EIS IDENTIFIED ARSENIC, LEAD CADMIUM AND POLYCYCLIC HYDROCARBON HAZARDS ASSOCIATED WITH COAL WASTE ON THE SITE. PAH'S EXCEEDED DIRECT CONTACT LEVELS.

LAND CLEARING + EXCAVATION + SITE PREP AND BURNING WILL MOVE THESE TOXICS INTO THE AIR + WATER PUTTING WORKERS + NEIGHBORS AT RISK.

SEE NOV 23, 2009 ASPECT CONSULTING REPORT.

MORE STUDY IS NEEDED.

The United Nations panel on Climate change recently stated that we have 3 years to reduce CO₂ emissions or human survival is at risk.

How much CO₂ will this project produce?

Will 962 new homes be heated by fossil fuels?

How much traffic and car trips will be done at build out.

This developer has not adequately addressed these issues.

The developer will get richer while all of us get poorer.

Quality of life and community will be damaged as will the environment.

As a community we should be planning on how to survive climate extremes. Plan for a green energy future that involves the grand kids having a future. Horrible projects

driven by profit and forced by pushy developers should not proceed without a current environmental review.

Virgil Amick

From: Lucy Temple <lucy.temple@kprd1.org>
Sent: Sunday, April 24, 2022 10:37 PM
To: Virgil Amick
Cc: Jay McGowan; Rob Omans; Greg Dohrn; bannen@hlacivil.com; Mike Engelhart
Subject: Re: City Heights Phase 2
Attachments: image001.jpg; City Heights Draft Phase 2 NOA on Letterhead 04-01-22.pdf; Phase 2 NOA Attachment 03-30-22.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello City Team,

This is a late and thereby *unofficial* and *individual* comment. Unfortunately, the Kittitas Parks & Recreation District #1 (KPRD1) wasn't able to submit a formal collective comment on this matter. However, since it was sent to me as a Commissioner, I thought I'd respond from this account as it does tie into the KPRD1 mission for recreation in Upper Kittitas County, and I will share this comment at our next KPRD1 meeting.

This unofficial comment is in response to the email I received from the City of Cle Elum on the City Heights Phase 2 Preliminary Plat. One of the areas that the latest application for City Heights seems to include is outside their own property in the vicinity of the Coal Mines Trail downhill from and to the immediate northwest of the Deneen Drive end of the Cle Elum Pines West development.

Stream Crossing

This location is where motorcycles and ORVs have been crossing the creek for decades (and still do regularly) to get up onto City Heights property and beyond to the Cle Elum ridge. That area is comprised of a considerable amount of coal mines tailings, as is recorded in the City Heights EIS documents, referenced in the Cle Elum Pines West SEPA documents and development agreement, and which can be seen on the ground, particularly from the trail looking at the exposed coal-layered cross section of the creek bank.

If this is indeed where City Heights intends to extend utilities, I ask that you consider requiring the developer to make adequate modifications to the creek at that time to restore the bed to approved stream standards, while facilitating the construction of a proper vehicle crossing like a ford or similar inexpensive, yet effective structure, in cooperation/collaboration with the appropriate resource agencies with jurisdiction.

Trail Crossing and Connection

The second thing I request is for the City to consider taking advantage of this development action and use it as a catalyst for forming an agreement between appropriate parties to establish and finalize right of way and design of a multi-user trail connection that has been planned for many years in this location. The planned trail between the City Heights property and the "Bullfrog Flats" area (now owned by Sun Communities) crosses through the same western section of the Cle Elum Pines West Development under the power lines, which appears to be the same area as the planned utilities crossing and current unofficial dirt bike / ORV crossing through Crystal Creek.

A Great Opportunity!

The City Heights project offers the City, the developers, and project partners the unique opportunity to improve the habitat quality and function of the creek, facilitate a safe and approved creek crossing, and provide additional trail connections and recreational opportunities in this area, which have been very long anticipated. I hope the City is able, through careful consideration and collaboration leading up to the City Heights project construction in this location for their Phase 2 project, to bring these habitat and recreation improvements to fruition.

Thank you for your time and consideration.

Lucy Temple

On Apr 4, 2022, at 9:25 AM, Virgil Amick <vamick@cleelum.gov> wrote:

Virgil Amick

Permit/Office Technician

City of Cle Elum

P: 509-674-2262 Ext.110

E: Vamick@cleelum.gov

Virgil Amick

From: Mickey Rosato <mickrosato@gmail.com>
Sent: Thursday, April 14, 2022 11:20 PM
To: Planning
Subject: City Heights

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

I have written before and I realize that accepting written comments for any project is just a formality and nothing I have to say will mean anything to those dead set on allowing this catastrophe to take place.

I have to wonder why anyone in their right mind would agree to turning Cle Elum into Issaquah. Our iconic little town with its tree lined ridge is about to become obsolete.

The 2011 City Council and all those involved should be ashamed of themselves for approving the City Height development and the 962 dwellings on 358 acres. I have to wonder what's in it for them. I never thought something like this would ever happen here.

The developers won't have to live with this. They live elsewhere. Their main concern is money. The people who move here won't have a clue. They will just be glad to move out of the city. The animals and birds will be displaced. The trees will be gone. You'd better believe there will be trouble with water supply during drought conditions and storm water run off without tree roots to keep it in the ground. Our roads will be congested, our air polluted, noise and crime will increase, services will be stretched thin. and fire will be a continued threat. Has anyone thought about all the garbage and sewerage 962 homes will create? I wonder how these people will travel to and from their properties and how all the building equipment and supplies will make it up to the ridge. Which neighborhoods will be unlucky enough to have one of their streets turned to the road to City Heights?.There has to be more than one way in and out.

No, I'm not happy about this. Cle Elum is more important than increasing our taxbase for the losses we will incur with the creation of City Heights.

I am a homeowner and a long term resident who resides within the town of Cle Elum.

Mickey Rosato
509 674-1954

Virgil Amick

From: Owens Meats <owensmeats@gmail.com>
Sent: Friday, April 22, 2022 7:46 PM
To: Planning
Subject: City Heights Feedback

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To the City of Cle Elum,

This letter is written on behalf of the CEROA that includes 23 owners which collectively own all of Section 23 of the Cle Elum Ridge in response to the City Heights project Phase 2 Preliminary Plat Notice of Application dated April 7, 2022.

We are not opposed to growth, short plats or developments. But we are concerned with the lack of due process and extremely short timeline to solicit and receive feedback from the public for this proposal. Most of our members received no notification of this proposed change. A change of this magnitude should be communicated broadly to potentially impacted parties. The initiative will impact access to our neighborhood significantly. A submission date of 7 April for the proposal, and then a deadline of 22 April for the public to provide feedback with no public hearing to provide visibility into how the City intends to deal with and approach the infrastructure changes required to support this new development seem woefully insufficient.

Higher density projects have a much larger impact on the community and its infrastructure. The amount of new homes this will add to Cle Elum will nearly double the homes already in the city, this is a decision that should be considered and made transparent to the residents of the city and especially to the residents and communities that border the development. Major growth is not always beneficial to the way of life we all enjoy in Cle Elum, and if it is to be considered, it should be well thought out.

1. **Due Process (see above)**

2. **Traffic issues.** This will have significant impact to the surface streets in Cle Elum.

- Stafford Ave. has safety issues from road width, blind curve and grade that affect safe travel for pedestrians and vehicles alike.
- The average home has something like 3 or 4 trips per day to and from it. If there are approximately 800 homes going in the city heights project and another 300-400 homes going in on Forest Ridge and then another 700 homes going in along 903 in between Cle Elum and Roslyn this will potentially increase the number of trips on the 4 main entry and exit streets, Columbia Ave, Montgomery Ave, Stafford Ave., and the 903, by 1380 vehicles each per day. I realize that we are only talking about the City Heights project at this time but we have to look at the impact of all of the development. None of this is going to happen overnight but it will happen and it will have a huge impact on the area throughout the build out over the next 20 years. It is important to have plans in place to address the coming issues. 903 and Stafford is a

very busy intersection throughout the school year and to add another few hundred cars at this intersection each morning would create a huge bottleneck. Is there a plan to address this?

3. **Easements.** Some of the property that needs to be crossed doesn't have easements. How is this to be addressed? Personal contracts or agreements for easements or purchase? For other joint use easements there should be a joint use and maintenance agreement among those who rely on said easements. Or will it be acquired through eminent domain? The use of eminent domain can be very unfair and a slippery slope.

4. **Other infrastructure concerns:** How will these services and the impact of the growth be planned and supported by the City?

- **Schools, Emergency and Fire services.**
- **Water, Sewer and Garbage Services.**
- **Water runoff.**

This should in our opinion at a minimum have a public meeting, as the taxpayers of this area should be able to voice their concerns in a public setting.

Thank you, The CEROA Board of Directors



State of Washington
DEPARTMENT OF FISH AND WILDLIFE
South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

April 21, 2022

City of Cle Elum Planning Department
119 West First Street
Cle Elum, WA 98922

Dear Planning Official:

**SUBJECT: WDFW COMMENTS ON CITY HEIGHTS PROPOSED PHASE 2
PRELIMINARY PLAT**

Thank you for the opportunity to comment on the proposed Phase 2 Preliminary Plat for the City Heights development. The Washington Department of Fish and Wildlife (WDFW) is familiar with this area and associated fish and wildlife habitat critical areas. We submitted comments previously on both the overall project and the Phase 1 development. Our comments on this proposed Phase 2 are focused on work in streams and the overall impact of wildlife with the development.

Work in Streams

In the Phase 2 Development Standards Compliance Review, it states that “*The critical area designations and delineations set forth in the EIS shall be deemed the final determination of the identification, designation, and extent of critical areas and boundaries for purposes of applying and implementing the provisions of the City’s critical area ordinance(s) set forth in Title 18 of the CEMC.*” WDFW would like to add that occasionally streams and other critical areas either form after the EIS is developed or can be missed in the EIS development. Such an example did occur in Phase 1 of this development, when both wetlands and streams were identified in 2021 during a site review that were either missed or absent during the initial EIS development.

Any stream, whether identified in the EIS or not, that meets the definition of a waters of the state is considered a water of the state under WAC. Any work that will use, divert, obstruct, or change the natural flow or bed of any of the waters of the state will likely require a Hydraulic Project Approval (HPA) from WDFW. Such work must have an approved HPA before start of construction, otherwise it is a violation of the Hydraulic Code, RCW 77.55. WDFW encourages early coordination on such projects.

Streams and potential water crossings for development roads should be noted on the preliminary plat so that reviewers may comment on impacts to the streams. WDFW requests that all maps be updated to show all known streams and wetlands. Further, an up to date site review of the project should be conducted prior to construction to identify all critical areas such as streams and wetlands. Once those features are identified they should be flagged on the ground to ensure that all parties are aware of the resource and to avoid impacting those resources.

General Wildlife Provisions

WDFW agrees with the elements stated in the development plan such as requirements of open space, limiting of hours of construction noise, natural plantings, and sealing garbage containers to prevent wildlife conflict. These elements will help to ensure that the construction is compatible with wildlife and their habitat to the extent possible with the development. WDFW would also request that due to past forest management activities, large trees and trees with cavities are in short abundance within the development. Thus, WDFW would stress that it is important to retain the larger trees (>20 inches diameter) where possible and when trees that are greater than 12" need to be removed for safety or viewsheds, to consider topping these trees at 10-20' high (call short snags) so that wildlife can use them for future wildlife trees and cavities.

Thank you for the opportunity to comment on this project and look forward to working with the applicant on the issues raised above. If you have any questions, please call me at 509-607-3578 or email me at Scott.Downes@dfw.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Scott Downes".

Scott Downes
Area Habitat Biologist



Confederated Tribes and Bands of the Yakama Nation
Established by the Treaty of June 9, 1855

Post Office Box 151
Toppenish Washington 98948

Planning Department
City of Cle Elum
119 W First Street
Cle Elum, WA 98922

April 22, 2022

Subject: City Heights Planned Mixed Use Development Proposed Phase 2, Cle Elum

Thank you for contacting the Yakama Nation Cultural Resource Program (CRP) regarding the City Heights Planned Mixed Use Development Proposed Phase 2. The project is located within the Ceded Lands of the Yakama Nation, the legal rights to which were established by the Treaty of 1855 (12 Stat. 951), between the Yakama Nation and the United States Government. The Treaty set forth that the Yakama Nation shall retain the rights to resources upon these lands and, therefore, it is with the assistance and backing of the United States Federal Government that Yakama Nation claims authority to protect traditional resources.

Our office previously provided comment on Phase I of the development on March 24, 2021. Similar comments were provided by The Department of Archaeology of Historic Preservation on May 27, 2021. Our comments do not appear to be addressed in Phase I SEPA determination. Phase II of development is immediately adjacent to Phase I and therefore concerns remain regarding the previous archaeological survey which lacked any subsurface investigations. Further, the area of the development was the historic location of cemetery. There is a high potential for encountering human remains during ground disturbing activities. As previously stated in earlier consultation, we recommend supplemental archaeological investigations and/or project monitoring. We further request adherence to an Inadvertent Discovery Protocol in the event cultural resources or human remains are encountered during construction.

In addition, fish, other aquatic biota, water and wetlands are important cultural resources to the Yakama Nation. We do not see where the proposed development has adequately identified or protected these cultural resources. We are aware of at least one Type N stream that has already been severely impacted when logging and clearing began with this development. The City must ensure that these cultural resources will be properly protected before any approval is made on the development proposal. Further, the City must make sure that all State and Federal laws are followed with this development, especially regarding these cultural resources. The City must not allow or give approval to violate State and Federal laws. Given the current project will cross streams, we are requesting monitoring of all activities within proximity to streams or wetlands. We are further concerned if the City of Cle Elum has addressed water system leakage within its existing infrastructure and how this development may further exacerbate that loss. According to

the Washington State Use Efficient Annual Report, the volume of leakage was 162,418,065 gallons of water (35.1%) for the report filed last year. The three-year annual average is well-over the Washington State 10% threshold and in comparison to neighboring communities (i.e. Roslyn 14.9% and Ellensburg 7.7%) indicates there is a significant problem with the City's management of water. It does not appear this was addressed in the SEPA.

We request the SEPA is conditioned to address cultural resource concerns (i.e. survey, monitoring, Inadvertent Discovery Protocol). We further ask for a response to our concerns outlined above.

Sincerely,



Casey Barney
Cultural Resources Program Manager

Yakama Nation
509-865-5121 ext. 4378

CC: Jim Matthews, Yakama Nation Timber, Fish, and Wildlife Manager
Holly Barrick, Yakama Nation Timber, Fish, and Wildlife Archaeologist
Sydney Hanson, Department of Archaeology and Historic Preservation
Shona Voelckers, Yakama Nation Office of Legal Council