



DOUGLAS COUNTY

TRANSPORTATION & LAND SERVICES

140 19TH STREET NW, SUITE A • EAST WENATCHEE, WA 98802

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www.douglascountywa.net

STAFF REPORT EDGEWATER DEVELOPMENT P-2022-09

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Edgewater 23 Lot Subdivision (P-2022-09)
DATE: May 18, 2023

GENERAL INFORMATION

Requested Action: An application for a 23 lot major subdivision.

Location: The subject property is approximately 12.84 acres in size and is located east of Edgewater Drive in Orondo, WA. Residential lots will range in size from .24 of an acre to .89 of an acre. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000300.

SITE INFORMATION

Total Project Size:	12.84
No. of lots	23
Domestic Water:	Edgewater Rocky Pond Water District
Sewage Disposal:	On-site Septic Systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied

Site Characteristics: The subject property is vacant. The topography is relatively flat with a minor slope towards the Columbia River

Uses adjacent to the subject properties:

North: Single family dwellings/ Columbia River

South: Vacant land/ US 97

East: Event Venue/ Vacant land

West: Vacant land/ Single family dwellings

Access: Access to the site is US Highway 97 and Sun Cove Road intersection located the Orondo Cider Works, then onto Edgewater Drive, then east onto a private road access easement.

Zoning and Development Standards: The subject property is located within the Rural Service Center (RSC) Zoning District under Douglas County Code (DCC), which allows for the subdivision of land.

Major Subdivisions:

The requirements of Title 17, "Subdivisions" DCC, apply to the design and review requirements for approval of major subdivisions of 5 or more lots, parcels or tracts.

COMPREHENSIVE PLAN:

The Douglas County Comprehensive Plan designates this property as Rural Service Center (RSC). The following goals and policies set forth in the comprehensive plan are relevant to this development:

RURAL SERVICE CENTER:

Rural service centers are those areas where historic, unincorporated communities or older, recreationally-oriented subdivisions are characterized by compact rural type densities and may offer some urban services such as roads, community water systems, and limited commercial uses. They are generally small, compact, isolated rural community centers that primarily exist to provide housing, convenience goods and services to residents in and around the area. It is intended that these areas continue to be a mixture of land uses, particularly residential and limited neighborhood businesses and services. These areas will also be accommodating needed agriculturally related commercial, cottage industries, tourist related uses, recreation and/or light industrial uses.

POLICY RSC-1: Encourage mixed land use patterns that currently exist within the rural service centers by clearly establishing what kinds of uses will be permitted and which will be prohibited.

POLICY RSC-2: Provide incentives for development of a variety of housing types, including farm worker housing, and increased residential densities within the rural service centers, and encourage the refurbishing and updating of existing structures.

UTILITIES

GOAL 1: Develop in Douglas County will occur in conjunction with the availability of adequate, cost effective provision of utilities. The installation and expansion of utilities will be coordinated to minimized cost and disruption of normal activities.

POLICY U-4: Require that development take into account the timely and concurrent provision of adequate and efficient utility systems.

POLICY U-9: The cost of on-site utility improvements or site preparation for developments will be the responsibility of the development benefiting from the improvement.

POLICY U-10: Promote the continued use, maintenance, development and revitalization of existing utilities whenever possible.

TRANSPORTATION

GOAL: Provide efficient use of existing and future transportation facilities through a systematic approach of monitoring and maintaining the road system, integrating all types of transportation systems and facilities, by coordinating transportation facilities planning with other elements of the comprehensive plan, and coordination with other federal, state, and local agencies.

POLICY T-1: Develop a functional classification system to aid in the evaluation and provision of orderly and efficient traffic flow.

POLICY T-13: Ensure that transportation planning and implementation considers and is respectful of the rural and historic character found throughout the County.

POLICY T-15: As development occurs it shall comply with the applicable road standards, and off-site improvements to existing County roads may be required where those existing roads do not currently meet the adopted road standards.

ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Non-Significance on 05/02/2022 in accordance with WAC 197-11-355 (Optional DNS)

AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. Agency comments have been included as an attachment.

Agency comments:

Agency Notified	Response Received	Agency Notified	Response Received
Chelan-Douglas Health District	01/09/2023	Dept. of Arch. & Historical Preservation	01/04/2023
Douglas County PUD	01/05/2023	Douglas County GIS/Addressing	11/22/2022
WA State Dept. of Ecology	01/05/2023	Douglas County Assessor	N/R
Douglas County Fire District #2	01/13/2022	Douglas County Transportation & Stormwater	01/10/2023
Washington State Department of Transportation	N/R	Douglas County Treasurer	12/21/2022
Douglas County Land Services	05/02/2023	Confederated Tribes of the Colville Reservation	01/05/2022
Yakama Nation	N/R	WDFW	N/R

Douglas County Building Official/ Fire Marshal	05/02/2023	Orondo School District	N/R
WSDOT	N/R		

* N/R = No Reply

No members of the public commented on the project.

PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Comprehensive plan consistency:

The proposal appears consistent with the goals and policies of the Douglas County Comprehensive Plan. The proposed lot sizes meet the density standards for the applicable land use designation. The development will be adequately served by a combination of existing and proposed utilities.

Consistency with the provisions of Title 17, "Subdivision", Douglas County Code.

As conditioned, the proposed subdivision is consistent with the provision of this title.

Consistency with the provisions of the RSC Zoning District, Chapter 18.32, DCC as adopted by Douglas County:

As conditioned, the following dimensional standards for the RSC zoning district (DCC 18.32.060) will be met for each proposed lot:

- A. Minimum lot area: 10,000 square feet;
- B. Minimum width of lot at building line: 70 feet. Corner lots shall have a minimum width of 100 feet of contiguous frontage with one side being not less than seventy feet;
- C. Maximum building height: 40 feet;
- D. Minimum setback distances:
 - 1. Front yard: 20 feet;
 - 2. Rear yard: 15 feet;
 - 3. Side yard: 5 feet.
- G. Buildings on corner lots shall observe the minimum front yard setback on both streets and shall provide at least one rear yard setback.

Consistency with the provisions of DCC Title 12 Road Standards

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the provisions of DCC Chapter 20.34 Stormwater Drainage

As conditioned, the proposal is consistent with the provisions of this chapter.

RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria Title 17, 18, 19 and 20 of the Douglas County Code and the Douglas County Comprehensive Plan. Staff recommends approval of P-2022-09 subject to the following findings of fact and conditions:

Suggested Findings of Fact:

1. The applicant and owner is Edgewater Development LLC, 116 Orchard Pl, Orondo, WA 98843.
2. General Description An application for a 23 lot major subdivision.
3. Location: The subject property is approximately 12.84 acres in size and is located east of Edgewater Drive in Orondo, WA. Residential lots will range in size from .24 of an acre to .89 of an acre. The subject property is located in the Rural Service Center (RSC) zoning district under Douglas County Code and is further described as being located within Section 12, Township 26N, Range 21E, W.M. Douglas County Assessor's Parcel Number: 66200000300.
4. The applicant has submitted the following materials for review:
 - Land Use Master Application prepared by the applicant, dated October 11, 2022.
 - SEPA Checklist prepared by Northwest Geodimensions, dated October 10, 2022.
 - Preliminary Civil Plans prepared by Pacific Engineering, dated October 4, 2022
 - Preliminary Civil Plans – Edgewater Drive Concept Plan, dated November 11, 2022
 - Preliminary Storm Report prepared by Pacific Engineering, dated October 5, 2022
 - Preliminary Plat prepared by Northwest Geodimensions, dated October 5, 2022
 - Rocky Pond Resort & Event Center – Traffic Impact Analysis (Updated for CUP 2022-02), dated November 1, 2022
 - Rocky Pond Resort Residences 17-Lot Subdivision – Traffic Analysis dated December 22, 2022
 - Project Narrative prepared by the applicant, dated October 18, 2022
 - Phase 1 Environmental Site Assessment prepared by Shannon & Wilson, dated October 11, 2022
 - Soil report prepared by Tower Designs, dated September 12, 2022
5. Site Information:

Total Project Size:	12.84
No. of lots	23
Domestic Water:	Edgewater Rocky Pond Water District
Sewage Disposal:	On-site Septic Systems
Power/Electricity:	Douglas County PUD
Fire Protection:	Douglas County Fire District #4
Telephone Service:	Varied
6. Site Characteristics: The subject property is vacant. The topography is relatively flat with a minor slope towards the Columbia River
North: Single family dwellings/ Columbia River

South: Vacant land/ US 97

East: Event Venue/ Vacant land

West: Vacant land/ Single family dwellings

7. The subject property is designated Rural Service Center by the Douglas County comprehensive Plan.
8. The subject property is located in the Rural Service Center (RSC) zoning district.
9. The Washington State Department of Ecology has provided comment indicating a portion of the properties within the footprint of the project were occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Ecology requires soil sampling if vacant, commercial, industrial, or agricultural properties are converted to residential use as there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead. Ecology also provides information regarding NPDES permit requirements and water withdrawal restrictions.
10. The Washington State Department of archeology and Preservation (DAHP) and the Colville Confederate Tribes (CCT) submitted comments recommending the applicant conduct a Cultural Resource Survey of the property. Per DAHP and CCT, a 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.
11. The Chelan Douglas Health District has indicated deficiencies in regard to the public water system and on-site septic design. The Health District states the water system must be reclassified to a Group A system, instead of the current approval under a Group B classification. The Health District states Washington State department of Health approval of the water system is required prior to final plat approval. The Health District also requests clarification as to the well point location in relation to the proposed development. The Health District has indicated proposed lot sizes may not be adequate to support on-site septic systems. The Health District has requested additional reports/ design standards prior to final plat approval in order to determine if the lot layout/ size will be acceptable for the proposed development.
12. The preliminary Civil Plans depict:
 - Road M and Road K intersect with Road A (Edgewater Drive) and terminate in a cul-de-sac near the northeast corner of the plat.
 - Road J intersects Road K, extending south to intersect with the future access road for the Rocky Pond Resort.
 - Road L intersects with Road J, extending west and terminating in a hammer head turn around.
13. The public portion of Edgewater Drive currently terminates in a cul-de-sac that is inadequate to serve as an intersection for this plat, the Rocky Pond Resort (CUP-2022-02), the Rocky Pond Resort (CUP-16-02 & CUP-16-02A), and the other existing and proposed residences and private drives. As such, the applicant has proposed an intersection design being referred to as an “egglet” in the preliminary civil plans. This new intersection shall be constructed and the right of way shall be dedicated prior to final plat approval.
14. The Preliminary Stormwater Report adequately addresses the feasibility of mitigating stormwater runoff generated due to the proposed development. The project proposes the use of infiltration ponds for mitigation. A site specific

- infiltration test with recommendations for long term infiltrations rates was not found in the report.
15. The Traffic Impact Analysis (TIA) prepared by Transportation Engineering Northwest (TENW) for the Rocky Pond Resort, dated November 1, 2022 analyzes the cumulative impacts of multiple projects that includes this proposed 23-Lot subdivision.
 16. TENW prepared a supplemental Traffic Analysis, dated December 22, 2022 to further clarify how trips generated for this project are accounted for in the November 1, 2022 Rocky Pond Resort TIA.
 17. Douglas County issued a Determination of Non-Significance on 05/02/2023 in accordance with WAC 197-11-355 (Optional DNS).
 18. No members of the public commented on the proposal.
 19. Surrounding property owners were given the opportunity to comment on the proposals, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC 14.12.
 20. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
 21. Purveyors who responded to the project have indicated that adequate utilities/services are or can serve this project.
 22. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the RSC zoning district.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. Public use and interests will be served by approval of this proposal.
4. As conditioned, the proposal is consistent with Title 17 "Subdivisions", Title 18 "Zoning", Title 19 "Environment", and Title 20 "Development Standards", of the Douglas County Code and the Douglas County Comprehensive Plan.

Suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials of file except as amended by the conditions herein.
2. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
3. A plat certificate showing parties of interest from a title company must be submitted with the blueline drawings.
4. The final plat shall be submitted by a land surveyor licensed in the State of Washington, and shall comply with the standards set forth in Title 17 of the Douglas County Code.
5. All parties having an ownership interest in the subject property shall acknowledge the plat.
6. It is the responsibility of the applicant to contact the Douglas County Assessor's and Treasurer's offices to confirm all taxes are current prior to final plat approval.
7. The final plat shall show the location of all easements serving or encumbering the subject property.
8. The location of existing utilities (i.e. power, sewer, water and irrigation lines, etc.) and utility easements shall be depicted on the face of the final plat.

9. The developer shall install all utilities in accordance with the standards and specifications of the applicable utility purveyor.
10. Prior to final plat approval, Douglas County PUD shall provide written verification that all District requirements have been satisfied. Additional areas for utility easements may be required.
11. The final plat Mylar must include the following note: "The Health District has not reviewed the legal availability of water to his plat development."
12. The applicant shall coordinate with the Chelan Douglas Health District to address lot sizes related to septic system requirements. The final plat shall be designed to meet all applicable Health District regulations.
13. Minimum Required Fire Flow for residential development is 1000 GPM at a minimum of 20 PSI for no less than a 2-Hour duration. A hydrant must be located no more than 250 feet from the nearest frontage access to each lot. Maximum hydrant spacing is 500 feet and as approved or required by the Fire Marshal. The large-diameter port of all hydrants must be equipped with a 4-inch diameter Storz quarter-turn fitting. The Storz fitting must meet the specified requirements of the Fire District as per the discretion of the Fire Marshal.
14. All access longer than 150 feet must end in an approved Turn Around. The Turn Around must not be a part of a garage approach, must not counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather conditions.
15. Maximum grade for any graveled access is 10%. Grades greater than 10% but not greater than 12% must be paved. Grades beyond 12% are typically not allowed unless approved by the Fire Marshal on a case-by-case basis.
16. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet exclusive of shoulders.
17. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. The access roads shall be placed a distance apart equal to but not less than one half the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system, than a secondary fire apparatus access is not required.
18. Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
19. Edgewater Drive is classified as a Rural Local Access. Transportation improvements within the public right of way shall be designed and constructed in accordance with Standard Figure 3-3. The existing cul-de-sac shall be removed and replaced with an intersection, such as a roundabout or similar, that can accommodate the projected traffic associated with the existing and proposed residential uses, the proposed resort hotel, spa, restaurant, convenience store, and event venue(s). The applicant shall coordinate this design with Douglas County Transportation staff. Construction of the improvements shall be completed prior to final plat approval. Right of way dedication shall be completed via a statutory warranty deed prior to final plat acceptance.

20. Internal roads shall be designed and constructed in accordance with private road standards in Douglas County Code 12.52.
21. Illumination shall be designed and installed at the termination of Edgewater Drive consistent with
22. Douglas County Code Section 12.57.100 Roadway Illumination. The applicant shall be responsible for PUD charges for the connection of street lights to the transformer or hand hole. The type of light fixture to be installed shall be coordinated with Douglas County during construction plan review.
23. The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. The location shall be accepted by the County Engineer and USPS Postmaster prior to plan acceptance. Cluster mailbox units shall be located within the public right of way or covered within an easement dedicated for such use.
24. An access easement for the internal private roads shall be prepared and recorded or shown on the face of the plat prior to final plat approval. If individual access easements are prepared and recorded prior to final plat, the AFN of said easements shall be included on the face of the plat.
25. A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map.
26. Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
27. All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
28. Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the public transportation system improvements, internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Construction monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification.
29. Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 Final Acceptance and a Performance Assurance Agreement and/or Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.
30. Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
31. Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be determined during construction plan review and during field inspection of the proposed work within the right-of-way.
32. A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and

- the 2019 Stormwater Management Manual for Eastern Washington (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
33. Stormwater facilities shall be designed to overflow to the public Right of Way or oversized by 125% of design capacity plus one-foot of freeboard. The volume used to determine that the system meets 125% of design capacity cannot include volume provided by the one-foot of freeboard. A downstream analysis of potential overflow impacts shall be included within the design report.
 34. Site specific stormwater design for the individual lots may be deferred until time of building permit submittal. If applicable, a note shall be included on the face of the final plat which states:
“At the time of building permit submittal for Lots ___ through ___, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the Stormwater Management Manual for Eastern Washington. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A Private Stormwater Operation and Maintenance Agreement, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor’s Office.”
 35. Should the applicant choose to provide stormwater stubs to any of the lots which will drain to a communal facility, a note shall be included on the face of the final plat which states:
“At the time of building permit submittals for Lots ___ through ___, a site plan shall be submitted which depicts the on-site stormwater conveyance system. The site plan shall include the following information:
 - a) Pipe size.
 - b) Minimum pipe slope.
 - c) Invert elevation at the connection to the stormwater stub.
 - d) Finished floor elevation of the structure and garage slab.”
 36. Stormwater facilities shall be above ground and located on a separate tract under the functional control of the Homeowners’ Association (HOA). A note shall be included on the face of the plat which states:
“Stormwater facilities located on Tract _____ shall be under the functional control of the Homeowners’ Association (HOA) with each lot having an equal and undivided interest and maintenance responsibility in the tract(s).”
 37. Stormwater facilities only mitigating runoff from the public right of way shall be installed on a Tract to be deeded/dedicated to Douglas County or contained within the public right of way.
 38. Provisions to provide access for inspection and maintenance of the stormwater tract(s) shall be addressed within the design plans and stormwater report with associated access easements shown on the face of the final plat.
 39. Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
 40. The applicant is responsible for preventing mud, dirt, debris, and stormwater runoff from being tracked or otherwise discharging onto the public Right of Way or adjacent properties.

41. As applicable, registration of facilities that are regulated under the Washington State Department of Ecology's Underground Injection Control Program shall be completed prior to construction.
42. The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans.
43. Prior to final plat acceptance, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant. A note shall be included on the face of the final plat which states: "Douglas County will not maintain the private roads and associated stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN _____."
44. Individual/common plan development for this proposal exceeds 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.

Respectfully Submitted,



Tanner Ackley– Principal Planner
Douglas County Transportation and Land Services

Attachments: Agency Comments

Agency Comments

Annette Jester (x6549)

From: Rebecca Gordon <rebecca.gordon.hsy@colvilletribes.com>
Sent: Thursday, January 5, 2023 4:25 PM
To: Annette Jester (x6549); Shari Tincher (x6589)
Cc: Guy Moura; DAHP SEPA (DAHP)
Subject: Re: P-2022-09 Notice of Application Packet Comments End January 9, 2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon-

We have completed our review of application P-2022-09 for the proposed development of a 23 lot major subdivision by Edgewater Development LLC.

The proposed project lies within the traditional territory of the *ščə́lám̓xəx*^w (deep water) or Chelan Tribe, one of the 12 constituent tribes of the Confederated Tribes of the Colville Reservation (CTCR), which is governed by the Colville Business Council (CBC). The CBC has delegated to the Tribal Historic Preservation Officer (THPO) the responsibility of representing the CTCR with regard to cultural resources management issues throughout the traditional territories of all of the constituent tribes under Resolution 1996-29. This area includes parts of eastern Washington, northeastern Oregon, the Palus territory in Idaho, and south-central British Columbia.

We concur with the project location as presented.

We do not concur with the included SEPA Checklist, particularly the responses found in Section B.13: Historic and Cultural Preservation. There are a total of 4 questions associated with Section B.13, and only 3 incomplete questions were found in the submitted Checklist; the fourth question (d) is missing entirely. Additionally, "Not Applicable," as stated by the applicant in Section B.13c, is not an acceptable response, per the instructions for completing a SEPA Checklist found at <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance>.

The proposed project falls within high probability for the potential presence of cultural resources according to the Washington State Department of Archaeology and Historic Preservation's (DAHP) statewide predictive model. We recommend the project area be surveyed by a professional archaeologist prior to any ground disturbing activities occurring. If a survey is undertaken, we would like to request a copy of the resulting survey report for our review and comment.

Thank you for consulting with the Confederated Tribes of the Colville Reservation. These comments are based on the information as currently presented. We reserve the right to revise our comments as additional information becomes available. If you have any questions, please contact me at the number below.

Lamlamt (Thank you),
Rebecca L. Gordon MA, RPA

Archaeologist Senior



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

May 24, 2022

Annette Jester
Permit Technician
Douglas County TLS
140 19th Street NW
East Wenatchee, WA 98802

In future correspondence please refer to:
Project Tracking Code: 2022-05-03431
Property: Douglas County_Edgewater Estates Division 3 (Pre-App-2022-17)
Re: Survey Requested

Dear Annette Jester:

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. This is due, in part, to the proximity of the proposed project area to the Columbia River, a resource known to have been important to both Native Americans and settlers in the area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification 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,



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





Chelan-Douglas Health District

200 Valley Mall Parkway, East Wenatchee, WA 98802

To: Annette Jester, Douglas Co. TLS
From: Brian Dickey, RS
Date: 1//23
Re: Edgewater Development LLC – P2022-09 – referral comments

I have reviewed the above development proposal to create a 23 lot long subdivision from the existing 12.84 acre lot (existing parcel 66200000300), and recommend **NOT approving the project as proposed.**

Expanding, Non-municipal Public Water Systems

- Domestic water service shall be by expansion of the existing Edgewater Rocky Pond's public water system (PWS ID# AD903H). Currently it is a Group B system approved for 19 connections and must be re-approved as a Group A public water system. Individual service shall be provided to each lot. Plans and specifications for this expansion must be reviewed and approved by the State Department of Health, and construction of the improvements certified as per State Board of Health Regulations prior to final plat approval.
- It is unclear from the application if the public water system well point is on this 12.84 acre lot. If the well point is on this parcel, Group A and B public water systems using a well point must show and describe the sanitary control area/radius around the well. All necessary easements and covenants for access and protection of the public water supply must be shown or described on the final plat drawing. The Washington State Dept. of Health has more information and examples of the following protective covenants (DOH publication 331-048b). A Restrictive Covenant is necessary for that part of the 100' sanitary control radius that falls outside the well owner's property and is recorded to the neighboring property owner's parcel(s). A Declaration of Covenant is necessary for that part of the 100' sanitary control radius that falls completely within the well owner's property and is owned in fee simple by the well owner. Some wells will have both protective covenants. The Health District recommends the plat developer consult an attorney about these covenants. Protective covenants for each public well point must be declared in the dedicatory language on the plat as follows:

“A Declaration of Covenant recorded as a notice to title with [name of county] as AFN: _____ establishes a sanitary control area with a 100’ radius around the public well shown [as well tag #_____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area without the specific recorded permission of the well owner(s) and the Washington State Dept. of Health.”

“The Declaration of Covenant and Restrictive Covenant(s) recorded as a notice to title with [name of county here] as AFN: _____ establishes a sanitary control area with a 100’ radius around the public well shown [as well tag #_____]. No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area without the specific recorded permission of the well owner(s) and the Washington State Dept. of Health.”

- Chelan-Douglas Health District does not review or determine if water rights are necessary for a project. Depending upon your watershed, if your project consists of 15 or more lots with a collection of individual wells or new/expanding Group A or B public water system(s), you may need water rights. If this is the case, contact the Dept of Ecology’s Water Resource Division at (509) 575-2597 for more information.
- The dedicatory language on the final plat shall carry these notes:
 - *“The Health District has not reviewed the legal availability of water to this development.”*
 - **(IF the well point is on this parcel):** *“The combined water use by all the wells in this development may not exceed 5000 gallons per day or be used to irrigate more than ½ acre unless a ground water withdrawal permit is obtained from the Department of Ecology (RCW 90.44.050).”*

On-site Sewer Systems

- Tower Designs conducted a soil/site evaluation/feasibility review for placement of onsite sewage systems via a report dated 9/12/22. Based upon this evaluation, minimum lot size based upon soil type and source of domestic water supply is ½ acre (21,780 square feet each) under Table X of WAC 246-272A-0320. While I could not determine specific lot sizes based on the submitted plat map it does appear that there are proposed lots of less than 21,780 square feet per the soil/site evaluation. **As such, I recommend NOT**

approving the project as proposed. To approve lots of less than 21,780 square feet, I will need a full Method 2 report per WAC 246-272A-0320 (2) (d).

- Any existing onsite sewer systems must be shown on the Blue Line plat drawing. The final plat shall show necessary easements, and reference any legal access documents recorded separately from the plat.

Additional Information:

Fees for review of land-use applications have been established by the Chelan-Douglas Health District Board of Health. The District will bill the applicant upon receipt of these comments.

Project	CDHD 2022 fees
Plat Pre-Application Review (flat fee)	\$53
Short Plat Referral: <5 lots review (\$113 for 1 st half hour then \$91/hr after that)	\$113 min
Major Plat Referral: PDs, BSPs, etc. with on-site sewage systems, up to 20 lots + Per lot beyond 20	\$619 \$35
Public Water System (new or expansion)	call

Additional information and forms can be downloaded from the Chelan-Douglas Health District’s website at: <http://www.cdhd.wa.gov/FormsandDocuments.htm>

Note Type	Code	Text	Begin	End	Created By	Attachment
APPLICATION COMMENTS		Contact Mike Snyder, Customer Engineer, to coordinate electrical utility plan.	01/05/2023		DDAY@co.douglas.wa.us	

Add

Assignments:

Receipts

COMMENTS



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

January 5, 2023

Annette Jester
140 19th Street NW, Suite A
East Wenatchee, WA 98802

RE: 202206274, P-2022-09

Dear Annette Jester,

Thank you for the opportunity to comment on the Notice of Application for the Edgewater Development LLC of a 23 lot major subdivision. We have reviewed the application and have the following comment.

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.

If you decide that your project does not need to acquire an NPDES Construction Stormwater General Permit, and the project has a discharge to waters of the state. There is a potential that this could result in a RCW 90.48 violation. This violation carries the potential of a penalty of up to \$10,000 per day, per violation.

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) 571-6733, with questions about this permit.

TOXICS CLEANUP

Thank you for the opportunity to comment on your proposed project.

Historical aerial photos indicate a portion of the properties within the footprint of your proposed changes were occupied by orchard during the period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. Ecology requires soil sampling if vacant, commercial, industrial, or agricultural properties are converted to residential use as there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead.

Annette Jester
January 5, 2023
Page 2

Ecology can provide sampling services at no cost. If sampling indicates elevated levels of lead and arsenic, cleanup will be required prior to occupancy. There are simple steps that can be taken to reduce exposure to the public and Ecology can provide free technical assistance.

Additionally, Ecology uses Model Remedies to guide cleanup for lead and arsenic pesticide contamination in historical orchards of Central Washington. The Model Remedy document is an excellent source of technical guidance, and is available at <https://apps.ecology.wa.gov/publications/SummaryPages/2109007.html>

Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

Additional information, including precautions you can take to reduce exposure, is available at:
<https://ecology.wa.gov/dirtalert>

Please contact Hector Casique, Project Manager, at (509) 208-1288 or email hector.casique@ecy.wa.gov, for further information or to schedule your initial sampling.

WATER RESOURCES

Dust Control from a Well

If you plan to use water for dust suppression at your project site, be sure that you have a legal right. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process. Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

If you have any questions or would like to respond to these Water Resources comments, please contact Christopher Kossik at (509) 379-1826 or email at christopher.kossik@ecy.wa.gov.

Sincerely,



Lucila Cornejo
SEPA Coordinator
Central Regional Office
(509) 208-4590
crosepacoordinator@ecy.wa.gov

	Condition	V
om	<p>Minimum Required Fire Flow for residential development is 1000 GPM at a minimum of 20 PSI for no less than a 2-Hour duration. A hydrant must be located no more than 250 feet from the nearest frontage access to each lot. Maximum hydrant spacing is 500 feet and as approved or required by the Fire Marshal. The large-diameter port of all hydrants must be equipped with a 4-inch diameter Storz quarter-turn fitting. The Storz fitting must meet the specified requirements of the Fire District as per the discretion of the Fire Marshal.</p>	<input type="checkbox"/> <input type="checkbox"/>
om	<p>All access longer than 150 feet must end in an approved Turn Around. The Turn Around must not be a part of a garage approach, must not counted as parking, must not be counted as a storage area, must account for seasonal snow accumulation, and must be capable of supporting the weight of emergency apparatus in all weather conditions.</p>	<input type="checkbox"/> <input type="checkbox"/>
om	<p>Maximum grade for any graveled access is 10%. Grades greater than 10% but not greater than 12% must be paved. Grades beyond 12% are typically not allowed unless approved by the Fire Marshal on a case-by-case basis.</p>	<input type="checkbox"/> <input type="checkbox"/>
om	<p>Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet exclusive of shoulders.</p>	<input type="checkbox"/> <input type="checkbox"/>
om	<p>Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. The access roads shall be placed a distance apart equal to but not less than one half the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system, than a secondary fire apparatus access is not required.</p>	<input type="checkbox"/> <input type="checkbox"/>

DOUGLAS COUNTY TRANSPORTATION & LAND SERVICES



MEMO

DATE: January 10, 2023

TO: Tanner Ackley, AICP

FROM: Mike Neer, PE

RE: P-2022-09 – Rocky Pond Residences - 23 Lot Subdivision
Recommended Preliminary Conditions of Approval
Transportation & Stormwater (TSW) Comments

Suggested Findings of Fact:

- 1) The application materials reviewed by Douglas County Transportation and Stormwater include the following:
 - Preliminary Civil Plans prepared by Pacific Engineering, dated October 4, 2022
 - Preliminary Civil Plans – Edgewater Drive Concept Plan, dated November 11, 2022
 - Preliminary Storm Report prepared by Pacific Engineering, dated October 5, 2022
 - Preliminary Plat prepared by Northwest Geodimensions, dated October 5, 2022
 - Rocky Pond Resort & Event Center – Traffic Impact Analysis (Updated for CUP 2022-02), dated November 1, 2022
 - Rocky Pond Resort Residences 17-Lot Subdivision – Traffic Analysis dated December 22, 2022
- 2) The preliminary Civil Plans depict:
 - Road M and Road K intersect with Road A (Edgewater Drive) and terminate in a cul-de-sac near the northeast corner of the plat.
 - Road J intersects Road K, extending south to intersect with the future access road for the Rocky Pond Resort.
 - Road L intersects with Road J, extending west and terminating in a hammer head turn around.
- 3) The public portion of Edgewater Drive currently terminates in a cul-de-sac that is inadequate to serve as an intersection for this plat, the Rocky Pond Resort (CUP-2022-02), the Rocky Pond Resort (CUP-16-02 & CUP-16-02A), and the other existing and proposed residences and private drives. As such, the applicant has proposed an intersection design being referred to as an “egglet” in the preliminary civil plans. This new intersection shall be constructed and the right of way shall be dedicated prior to final plat approval.
- 4) The Preliminary Stormwater Report adequately addresses the feasibility of mitigating stormwater runoff generated due to the proposed development. The project proposes the use of infiltration ponds for mitigation. A site specific infiltration test with recommendations for long term infiltrations rates was not found in the report.
- 5) The Traffic Impact Analysis (TIA) prepared by Transportation Engineering Northwest (TENW) for the Rocky Pond Resort, dated November 1, 2022 analyzes the cumulative impacts of multiple projects that includes this proposed 23-Lot subdivision.
- 6) TENW prepared a supplemental Traffic Analysis, dated December 22, 2022 to further clarify how trips generated for this project are accounted for in the November 1, 2022 Rocky Pond Resort TIA.

Suggested Conditions of Approval:

Transportation

- 1) Final construction plans designed by a Professional Engineer licensed in the State of Washington shall be submitted to and accepted by Douglas County prior to construction. Construction plans shall be prepared in accordance with the requirements of the Douglas County Code.
- 2) Edgewater Drive is classified as a Rural Local Access. Transportation improvements within the public right of way shall be designed and constructed in accordance with Standard Figure 3-3. The existing cul-de-sac shall be removed and replaced with an intersection, such as a roundabout or similar, that can accommodate the projected traffic associated with the existing and proposed residential uses, the proposed resort hotel, spa, restaurant, convenience store, and event venue(s). The applicant shall coordinate this design with Douglas County Transportation staff. Construction of the improvements shall be completed prior to final plat approval. Right of way dedication shall be completed via a statutory warranty deed prior to final plat acceptance.
- 3) Internal roads shall be designed and constructed in accordance with private road standards in Douglas County Code 12.52.
- 4) Illumination shall be designed and installed at the termination of Edgewater Drive consistent with Douglas County Code Section 12.57.100 *Roadway Illumination*. The applicant shall be responsible for PUD charges for the connection of street lights to the transformer or hand hole. The type of light fixture to be installed shall be coordinated with Douglas County during construction plan review.
- 5) The location of any cluster mailbox units proposed for the subdivision shall be shown on the construction plans. The location shall be accepted by the County Engineer and USPS Postmaster prior to plan acceptance. Cluster mailbox units shall be located within the public right of way or covered within an easement dedicated for such use.
- 6) An access easement for the internal private roads shall be prepared and recorded or shown on the face of the plat prior to final plat approval. If individual access easements are prepared and recorded prior to final plat, the AFN of said easements shall be included on the face of the plat.
- 7) A Private Access Operation and Maintenance Agreement shall be prepared, executed, and recorded by the applicant; the Auditor's File Number(s) shall be noted on the final plat map.
- 8) Five-foot utility easements (min.) are required along all lots or tracts with County road frontage in accordance with applicable road standards. Utility purveyors may require easements in excess of five feet.
- 9) All existing and proposed easements shall be clearly delineated with the Auditor's File Number(s) noted as necessary on the final plat.
- 10) Prior to final plat acceptance and/or release of financial security, the Engineer of Record shall provide written certification that the public transportation system improvements, internal roads, utility infrastructure, stormwater systems, and grading have been constructed/completed in accordance with the Conditions of Approval, applicable codes, and the accepted construction plans. Construction monitoring shall be required as determined appropriate by the Engineer of Record and in accordance with the Road Standards, with final reports submitted to Douglas County along with the certification.
- 11) Final acceptance shall be processed in accordance with Douglas County Code (DCC) Section 12.56.110 *Final Acceptance* and a Performance Assurance Agreement and/or Warranty Assurance Agreement shall be completed per DCC 12.50.110 prior to final plat acceptance.

- 12) Per DCC Chapter 12.24, all new or revised accesses onto a County road (including temporary accesses) require an approved access permit.
- 13) Utility installation/replacement/upgrade within the Douglas County right-of-way shall be approved by Douglas County. A permit to perform work in the right-of-way shall be obtained prior to construction. Damage to existing roads resulting from construction activities (including utility extensions required to provide necessary services to the proposed development) shall be repaired to the satisfaction of Douglas County, by the applicant. The extent of repair and/or replacement will be determined during construction plan review and during field inspection of the proposed work within the right-of-way.

Stormwater

- 1) A final site-specific stormwater plan and report prepared by a Professional Engineer (PE) licensed in the State of Washington that conforms to Douglas County Code and the 2019 *Stormwater Management Manual for Eastern Washington* (SWMMEW) shall be submitted to and accepted by Douglas County prior to construction.
- 2) Stormwater facilities shall be designed to overflow to the public Right of Way or oversized by 125% of design capacity plus one-foot of freeboard. The volume used to determine that the system meets 125% of design capacity cannot include volume provided by the one-foot of freeboard. A downstream analysis of potential overflow impacts shall be included within the design report.
- 3) Site specific stormwater design for the individual lots may be deferred until time of building permit submittal. If applicable, a note shall be included on the face of the final plat which states:
“At the time of building permit submittal for Lots ___ through ___, an engineered site specific stormwater plan and report shall be submitted that conforms to Douglas County Code and the current edition of the *Stormwater Management Manual for Eastern Washington*. The Engineer of Record shall provide certification that the private on-site stormwater system has been completed in accordance with the accepted plans. A Private Stormwater Operation and Maintenance Agreement, prepared with standard Douglas County forms, shall be executed and recorded with the Douglas County Auditor’s Office.”
- 4) Should the applicant choose to provide stormwater stubs to any of the lots which will drain to a communal facility, a note shall be included on the face of the final plat which states:
“At the time of building permit submittals for Lots ___ through ___, a site plan shall be submitted which depicts the on-site stormwater conveyance system. The site plan shall include the following information:
 - a) Pipe size.
 - b) Minimum pipe slope.
 - c) Invert elevation at the connection to the stormwater stub.
 - d) Finished floor elevation of the structure and garage slab.”
- 5) Stormwater facilities shall be above ground and located on a separate tract under the functional control of the Homeowners’ Association (HOA). A note shall be included on the face of the plat which states:
“Stormwater facilities located on Tract _____ shall be under the functional control of the Homeowners’ Association (HOA) with each lot having an equal and undivided interest and maintenance responsibility in the tract(s).”
- 6) Stormwater facilities only mitigating runoff from the public right of way shall be installed on a Tract to be deeded/dedicated to Douglas County or contained within the public right of way.

- 7) Provisions to provide access for inspection and maintenance of the stormwater tract(s) shall be addressed within the design plans and stormwater report with associated access easements shown on the face of the final plat.
- 8) Prior to any on-site grading occurring or prior to construction plan acceptance (whichever comes first), a Stormwater Pollution Prevention Plan (SWPPP) and a Temporary Erosion and Sediment Control Plan (TESC Plan) shall be submitted to and accepted by Douglas County. The SWPPP and TESC Plan shall be kept on-site at all times and updated as necessary to address and prevent sediment and sediment laden water from leaving the project site.
- 9) The applicant is responsible for preventing mud, dirt, debris, and stormwater runoff from being tracked or otherwise discharging onto the public Right of Way or adjacent properties.
- 10) As applicable, registration of facilities that are regulated under the Washington State Department of Ecology's Underground Injection Control Program shall be completed prior to construction.
- 11) The Engineer of Record shall monitor construction and shall provide as-built drawings and report as necessary along with certification that the improvements have been completed in accordance with the applicable codes, regulations, and accepted plans.
- 12) Prior to final plat acceptance, a Private Stormwater Operation and Maintenance Agreement shall be executed on standard Douglas County forms. The site plan, details, certification, and operation and maintenance recommendations are provided to the County. County staff then prepares the agreement for signature and recording by the applicant. A note shall be included on the face of the final plat which states:

“Douglas County will not maintain the private roads and associated stormwater facilities located within this subdivision. Responsibility for the long term maintenance of the private stormwater facilities is described within the Declaration of Stormwater System Maintenance Covenants recorded under AFN _____.”
- 13) Individual/common plan development for this proposal exceeds 1-acre of disturbed ground. This would meet the threshold by the Washington State Department of Ecology (WSDOE) in administering their general permit to discharge stormwater associated with construction activity. The applicant is responsible for acquisition of all applicable permits prior to beginning ground breaking activities, including but not limited to: Construction Stormwater General Permit, Sand & Gravel Stormwater General Permit, and/or Industrial Stormwater General Permit. Compliance with the Washington State Department of Ecology's regulations is the responsibility of the applicant.