**EXHIBIT LIST FOR SUB 2022-002/EA 2022-015**
**Preliminary Plat of Cottonwood Creek Ph. 4**

| | | | DATED |
|---|---|---|---|
| **Planning Commission Memo Exhibit List -June 21, 2022** | | | |
| **PCM 1** Includes: | PCM 1.1 | Staff Report | June 13, 2022 |
| | PCM 1.2 | Site Map | May 3, 2022 |
| | PCM 1.3 | Notice of Public Hearing | June 3, 2022 |
| | | **APPLICATION SUBMITTAL** | |
| | PCM 1.4 | Subdivision Application | April 25, 2022 |
| | PCM 1.5 | Plat Map | April 26, 2022 |
| | PCM 1.6 | Preliminary Stormwater Report | March 1, 2022 |
| | PCM 1.7 | BC Water Service Letter | January 3, 2022 |
| | | **SEPA INFORMATION** | |
| | PCM 1.8 | Environmental Checklist EA 2022-015 | April 15, 2022 |
| | PCM 1.9 | Notice of Application | May 11, 2022 |
| | PCM 1.10 | Mitigated Determination of Non Significance | June 3, 2022 |
| | | **COMMENTS** | |
| | PCM 1.11 | Benton Franklin Health District | March 9, 2022 |
| | PCM 1.12 | Benton PUD Comments | May 9, 2022 |
| | PCM 1.13 | Benton Clean Air Agency | May 9, 2022 |
| | PCM 1.14 | Dept. of Ecology | May 18, 2022 |
| | PCM 1.15 | Benton County Public Works | May 23, 2022 |
| | PCM 1.16 | Benton County Fire Marshal | May 23, 2022 |
| | PCM 1.17 | Dept. of Transportation | May 25, 2022 |
| | PCM 1.18 | Kennewick Irrigation District-Prelimanary comments | May 25, 2022 |
| | PCM 1.19 | Kennewick Irrigation District-Final comments | June 14, 2022 |
| | PCM 1.20 | Benton County Public Works - SEPA Comments | May 23, 2022 |
| | PCM 1.21 | KID SEPA Comments | May 25, 2022 |
| **Planning Commission Heairng Exhibit List - June 21, 2022** | | | |
| **PCH 1** Includes: | PCH 1.1 | | |
| | PCH 1.2 | | |
| | PCH 1.3 | | |
| | PCH 1.4 | | |
| | PCH 1.5 | | |
| **Board of County Commissioners Memo Exhibit List - DATE** | | | |
| **BCCM 1** Includes: | BCCM 1.1 | | |
| | BCCM 1.2 | | |
| | BCCM 1.3 | | |
| | BCCM 1.4 | | |

**The Exhibit Numbers are found in the Top Right Hand Corner of each document.**
**PCM = Planning Commission Memo Exhibits**
**PCH = Planning Commission Hearing Exhibits**
**BCCM = County Commissioner Memo Exhibits**

**Community Development Department**
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us

**Planning Division**
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

**PCM 1.1**

# STAFF REPORT TO THE BENTON COUNTY PLANNING COMMISSION

| | |
|---|---|
| FILE NO: | **SUB 2022-002**<br>**Preliminary Plat of Cottonwood Creek Phase 4** |
| MEMO DATE: | June 13, 2022 |
| HEARING DATE: | June 21, 2022 |
| APPLICANT/:<br>OWNER | Badger Properties II; Attn: Jerritt Wiser<br>Coldwell Banker, 8836 Gage Blvd., Ste 101B<br>Kennewick, WA 99336 |
| LOCATION: | The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034. |
| PROPERTY SIZE: | Approximately 25.58 acres |
| AREA TO BE USED: | Approximately 22.41 acres |
| LAND USE: | Residential |
| COMP. PLAN: | Rural Transition |
| ZONING: | Rural Lands One Acre District |
| SUGGESTED STAFF RECOMMENDATION: | **Positive recommendation** subject to seven (7) findings of fact and eighteen (18) conditions of approval. |

## APPLICATION DESCRIPTION

The applicant has submitted a preliminary plat application (PCM 1.4) and map (PCM 1.5) to subdivide approximately 25.58 acres into 13 residential lots. The preliminary plat is known as Cottonwood Creek Phase 4. The land is zoned Rural Lands One Acre District.

The average lot size in the development is approximately 1.72 acres and the lots are proposed to be served by a new public road, potable water from BC Water, and individual septic systems.

The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034.

## PUBLIC NOTICE

1. A Notice of Application was published in the Prosser Record Bulletin on May 11, 2022 (PCM 1.9).
2. Planning Staff mailed out review packets to technical agencies on May 6, 2022.
3. A Notice of Public Hearing was published in the Prosser Record Bulletin on June 8, 2022 (PCM 1.3).
4. Property owners within 300 feet were mailed notice on May 10, 2022.
5. A SEPA Determination of Mitigated Non-Significance (MDNS) (PCM 1.10) was issued on June 3, 2022.

## APPLICABLE STANDARDS/ORDINANCES

1. Comprehensive Plan: Benton County Comprehensive Plan.
2. SEPA: BCC, Title 6, Chapter 6.35 Environmental Policy.
3. Subdivision Code: BCC, Title 9, Subdivision Regulations.
4. Zoning Code: BCC, Title 11, Zoning Regulations.
5. Critical Area Ord.: BCC, Title 15, Critical Areas- BCC 15.02 - 15.14.
6. RCW 58.17: Plats and Subdivisions.
7. Planning Commission/Open Record Hearing:

   Pursuant to BCC 9.05.070, an open record hearing on the proposed subdivision shall be held before the Planning Commission. The Planning Commission shall consider all relevant information, including but not limited to:

   a. The staff report by the Planning Division,
   b. Any written comments or concerns expressed by other reviewing agencies,
   c. Oral and written testimony from persons present at the hearing; and

   If the Planning Commission finds that additional information is needed, the Planning Commission may continue the hearing for up to thirty-five (35) days or such longer period as agreed to by the applicant and direct that the additional information be gathered.

## AGENCY COMMENTS

1. Benton County Planning Division: See the suggested findings of fact and conditions of approval for the Planning Division's comments and requirements.
2. Benton County Public Works Department: See comments dated May 23, 2022 (PCM 1.15).
3. Washington State Department of Transportation: See comments dated May 25, 2022 (PCM 1.17).
4. Benton County Fire Marshal: See comments dated May 23, 2022 (PCM 1.16).

5. BC Water: See comments dated January 3, 2022 (PCM 1.7).
6. Kennewick Irrigation District: See comments dated May 25, 2022 (PCM 1.18).
7. Benton PUD: See comments dated May 9, 2022 (PCM 1.12).
8. Benton Franklin Health District: See comments dated March 9, 2022 (PCM 1.11).
9. Washington State Department of Ecology: See comments dated May 18, 2022 (PCM 1.14).

## CRITERIA FOR FINDINGS OF FACT

1. Pursuant to **BCC 9.05.080, Consideration of Preliminary Subdivision**, the Benton County Planning Commission, after conducting an open record hearing and considering all information presented, shall forward a recommendation to the Board of County Commissioners regarding whether the preliminary plat be approved, approved with conditions, or denied as proposed. Prior to making any recommendation, the Planning Commission shall make the following written findings:
    a. That the proposed subdivision conforms to the Benton County Comprehensive Plan, any applicable zoning requirements and other applicable land use controls;
    b. That the County Engineer, or designee, has provided a written representation that the proposed subdivision provides adequate means of access and conformance with the road and drainage requirements of Benton County;
    c. That the proposed subdivision meets the requirements of BCC 9.05;
    d. That the public interest will be served by the proposed division and dedication;
    e. That appropriate provisions are made for the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water, sanitary wastes, parks and recreation, playgrounds, schools, school grounds, and sidewalks;
    f. That the Benton-Franklin Health District and Kennewick Irrigation District have reviewed the proposed subdivision for compliance with their rules and regulations and has not expressed objection to the proposed subdivision; and
    g. If any portion of the proposed subdivision is located within an irrigation district, that the applicant has complied with RCW 58.17.310 as it now exists or is hereafter amended.
2. RCW 58.17.110 (1)(2)(3). Approval or disapproval of subdivision - factors to be considered-conditions of approval.

## RECOMMENDATION

Benton County Planning staff will assist the Planning Commission with the determination of findings and conditions for the preliminary plat of Cottonwood Creek Phase 4 - File Number SUB 2022-002.

The Benton County Planning Division recommends that the Planning Commission forward a **recommendation of approval** to the Benton County Board of Commissioners for the application SUB 2022-002, with the following suggested findings of fact, conditions of approval, and motion.

## SUGGESTED FINDINGS OF FACT:

1. The proposed subdivision (PCM 1.4, application and PCM 1.5, preliminary plat map) conforms to the Benton County Comprehensive Plan, any applicable zoning requirements and other applicable land use controls;
    a. The proposed use is in conformance with the intent of the Comprehensive Plan based on the following facts:
        i. The 25.58-acre site is bordered on the north, south, and west by land zoned Rural Lands One Acre District and on the east by land zoned Rural Lands Five Acre District.
        ii. The Benton County Comprehensive Plan designates this area as Rural Transition with a 1-acre minimum lot size. The property is zoned Rural Lands One Acre (RL-1). The preliminary plat complies with the minimum lot size and minimum average lot width required for the RL-1 Zoning District;
        iii. The GMA requires counties to include a rural element in their comprehensive plans to permit appropriate land uses that are compatible with the rural character of such lands and provide for a variety of rural densities. This element has been incorporated as a part of the land use element of the County's plan;
        iv. Rural Transition is designated for infill development in areas that are in close proximity to UGAs and have experienced steady growth in the last decade. The intent of the Rural Transition designation is to enable rural residential living in conjunction with providing a transition area between the rural and urban environments, and potentially suitable for future inclusion into UGAs. Maximum allowable density in this land use category is 1 DU/acre;
        v. The smallest lot size is 1.13 acre and the average lot size for this plat is 1.72 acres;
        vi. This development is consistent with the required minimum lot size and density standards contained in the Benton County Comprehensive Plan; and
        vii. The creation of 13 residential lots in the RL-1 Zoning District furthers the implementation of the Benton County Comprehensive Plan.
    b. The proposed plat is consistent with the applicable zoning requirements of the Benton County Code, Title 11, based on the following facts:
        i. The property is zoned Rural Lands One Acre (RL-1). The preliminary plat complies with the minimum lot size and minimum average lot width required for the RL-1 Zoning District.

c. The proposed subdivision does comply with the requirements of the Benton County Code, Title 9, Subdivision Regulations;

   i. The proposed subdivision complies with the purpose and preliminary plat requirements included in BCC 9.05 Subdivision - Preliminary Plat.

d. The proposed subdivision complies with the Benton County Critical Area Ordinance BCC Title 15.

   i. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, no critical areas were identified on the property.

   ii. The proposed plat is not located in a special flood hazard area as identified on the Federal Emergency Management Agency Flood Insurance Rate Maps and BCC 3.26.

e. The requirements of the State Environmental Policy Act have been met based on the following:

   i. The proposed subdivision has been reviewed under the requirements of BCC Title 6, Chapter 6.35 and the State Environmental Policy Act.

   ii. During the SEPA comment period the following comments were received:

      1. Benton County Public Works Department required the relocation of a drainage easement and the payment of traffic mitigation fees;

      2. The Benton County Fire Marshal required the plat to meet the requirements of BCC 3.18.045 for Private Roads and Driveways for all lots;

      3. Benton Clean Air Agency has required that fugitive dust emissions be controlled onsite and that a written dust control plan be in place prior to ground disturbing activities; and

      4. State of Washington Department of Transportation recommended the County require the proponent to contribute towards the county's planned improvements at Exit 109, in proportion to their impact.

   iii. An MDNS with mitigation/conditions (PCM 1.10) was issued for the project on June 3, 2022.

2. The County Engineer has provided a written representation that the proposed subdivision provides adequate means of access and conformance with the road and drainage requirements of Benton County;

   a. Reference the Benton County Public Works Department comments as it relates to stormwater and drainage easements (PCM 1.15); and

3. The proposed subdivision meets the requirements BCC 9 Subdivision Regulations;

   a. The proposed subdivision complies with the purpose and preliminary plat requirements included in BCC 9.05 Subdivision- Preliminary Plat;

4. The public interest will be served by the proposed division and dedication;

a. The creation of 13 residential lots in the RL-1 Zoning District furthers the implementation of the Benton County Comprehensive Plan; and

b. Benton County standards are to be complied with, including the construction and dedication of the new public roads.

5. Appropriate provisions are made for the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water, sanitary wastes, parks and recreation, playgrounds, schools, school grounds, and sidewalks;

   a. Appropriate provisions have been made for the public health and safety based on the following facts:

      i. The applicant has proposed that the preliminary plat be served by Badger Water Co. for potable and irrigation water and individual septic systems;

      ii. The Benton Franklin Health District has reviewed the preliminary plat and have no objection's provided water is provided by BC Water and sanitary services are provided by individual septic systems; and

      iii. The Benton County Fire Marshal has required fire hydrants to be installed.

   b. Appropriate provisions have been made for open spaces based on the following facts:

      i. The proposed subdivision does not contain land to be designated for open space, however there is open space land from a prior phase (Cottonwood Creek Phase 2) adjacent to the subject property.

   c. Appropriate provisions have been made for drainage ways based on the following facts:

      i. MacKay Sposito prepared a preliminary stormwater drainage report for the applicants of Cottonwood Creek dated April 1, 2022 (PCM 1.6). The report discusses the provisions made for both offsite and onsite stormwater as it relates to this property and the proposed development; and

      ii. Reference the Benton County Public Works Department comments as it relates to stormwater and drainage easements (PCM 1.15).

   d. Appropriate provisions have been made for streets or roads, alleys, and other public ways based on the following facts:

      i. The public interest will be served by the proposed division and dedication as the Benton County Public Works Department road standards are to be complied with including the construction and dedication of new public roads; and

      ii. Reference the Benton County Public Works Department comments as it relates to road and mitigation requirements (PCM 1.15).

   e. Appropriate provisions have been made for transit stops based on the following facts:

i. Ben Franklin Transit did not comment on transit service for the proposed development. The proposed plat and surrounding area are not served by public transit.

f. Adequate provisions have been made for potable water supplies based on the following facts:

i. The project is located in the Lower Yakima Watershed, WRIA 37;

ii. Potable water is proposed to be served by BC Water Co. BC Water Co has submitted comments stating that it has sufficient capacity within the water distribution system to provide these services; and

iii. The Benton Franklin Health District has no objections provided a public water supply and onsite sewage disposal systems are provided to all future development in the plat.

g. Adequate provisions have been made for sanitary waste based on the following facts:

i. The Benton Franklin Health District has no objections to individual septic systems which are proposed to serve the lots.

h. Adequate provisions have been made for parks, recreation, and playgrounds based on the following facts:

i. The proposed subdivision does not contain land to be designated for parks or recreation. The Benton County Code does not require park dedications.

i. Appropriate provisions have been made for schools and school grounds and for sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school based on the following facts:

i. The proposed plat is within the Kennewick School District. The School District did not provide comments on this proposal as to whether there are adequate provisions to assure safe walking conditions for students who walk to and from school or waiting for school buses; however, there are existing sidewalks adjacent to the subject property for Cottonwood Elementary School.

6. The applicable water/sanitary system agency has reviewed the proposed subdivision for compliance with its rules and regulations and has not expressed objection to the proposed subdivision; and

a. BC Water has reviewed the application and indicated that it has no objection to the 13 lots connecting to BC Water Co. potable water.

7. This plat is within the Kennewick Irrigation District however, irrigation water is proposed to be served by a private water system, BC Water Co., and the applicant has complied with RCW 58.17.310 as it now exists or is hereafter amended.

**SUGGESTED CONDITIONS OF APPROVAL:**

1. Applicant shall meet and comply with the requirements of the **Benton County Public Works Department**, including the following:
    a. The developer shall provide a complete set of engineered construction drawings for review and approval by the County and associated utilities. The drawings shall contain all appropriate information listed on the attached Minimum Plan Requirements. Grading plan will include grading to shape any drainage easements to route and fully contain all runoff based upon the 100-year storm within the easement limits. All plans and associated reports shall be prepared by a Professional Engineer licensed to practice in the State of Washington.
    b. All construction shall be in accordance with the most current WSDOT Standard Specifications for Road, Bridge and Municipal Construction, applicable Benton County Standard Plans and the requirements of the County Engineer.
    c. All roads within this plat shall have a paved width of 24 feet with a minimum 2-foot gravel shoulder. Roadways shall be designed for a minimum 25 mile per hour design speed.
    d. The pavement return radius at all intersections shall be a minimum of 35 feet.
    e. All stormwater from the roadways shall be contained on the plat and shall utilize surface infiltration (ditches, swales, ponds) for detention. The developer shall have an infiltration test performed at each proposed detention area. Tests shall be done with an infiltrometer using the falling head or constant head method. Other methods of infiltration rate determination shall be approved by the County.
    f. The developer shall provide a complete stormwater runoff report developed in accordance with the Stormwater Management Manual for Eastern Washington accosting for all impervious and pervious surfaces draining to the roadside ditches. Design storm shall be a Modified SCS Type IA with a 25-year return frequency.
    g. All signage including but not limited to stop signs, speed limit signs and street name signs shall be installed by the developer in accordance with Benton County Standard Plans.
    h. All new power, telephone, cable TV and irrigation shall be installed outside of the County right of way in the appropriate easements. Domestic water piping may be installed within the County right of way in accordance with a valid franchise agreement.
    i. Survey monuments, with cases and covers per Benton County Standard R-14B, shall be placed at all road intersections, points of curvature, points of tangency, centers of cul-de-sacs, section corners and quarter corners. All monuments shall be set by a Professional Land Surveyor licensed to practice in the state of Washington.
    j. Dedicate 60’ of right of way to Benton County for road purposes. (The plan shows 30 feet each side of centerline with no description of what the 30 feet is for).
    k. Provide a cross walk at the intersection of road “A” and Cottonwood Creek Blvd

l. The existing storm drain catch basin at the entrance of the proposed road "A" shall be removed or relocated outside of traveled way. The storm water from Cotton Wood Creek Blvd. currently collected and diverted by this storm drain shall be addressed as part of the relocation/removal. Provide engineering calculations.

m. The site plan for this subdivision shows a "20' storm easement" within the proposed 60' road right-of-way for Road A. The drainage easement shall be relocated outside of the road right-of-way. Provide engineered documentation and plans to support the location, size, and future stormwater flow impacts for this development.

n. The "60' Access and utility easement for the benefit of Badger Properties" at the South end of road B shall be dedicated to the County for road purposes instead.

o. After final approval of the road construction, one full size Mylar of the record drawings shall be provided to Public Works.

p. Add the following notes to the face of the final plat:

   i. Benton County is not responsible for the maintenance or upkeep of any stormwater retention facility or drainage easements. All such maintenance and upkeep are the responsibility of the underlying property owner.

   ii. Road approaches shall not be permitted directly across roadway tee intersections.

   iii. Prior to the construction of any driveway or the issuance of any building permit for any lot within this subdivision the property owner shall obtain a Road Approach Permit from the Benton County Public Works Department and install the required temporary construction access.

   iv. No trees, shrubs, weeds, fencing or other obstructions more than 24 inches in height are permitted within Benton County right of way.

   v. Property owners that install grass, curbing, rock mulch or other landscaping within the County right of way do so at their own risk. The County will not repair or replace damaged landscaping due to construction or maintenance operations.

   vi. All lots within this subdivision are subject to a three thousand five hundred ($3,500) traffic mitigation fee. Such fee shall be due and payable prior to issuance of any Building Permit or Road Approach Permit.

q. For more information, please contact Cristina Woods at 509-786-5611 or Cristina.Woods@co.benton.wa.us.

2. Applicant shall meet and comply with the requirements of the **Washington State Department of Transportation**, including the following:

   a. The subject property is in the immediate vicinity of Interstate 82 (I-82) and the Exit 109 interchange. WSDOT is not opposed to this project, or other developments along Wiser Parkway; however, they are concerned with the cumulative impact developer driven traffic is having on this interchange. Consistent with their

comments regarding other proposals in the area, WSDOT recommends the County require the proponent to contribute towards the county's planned improvements at Exit 109, in proportion to their impact.

b. Please contact Jacob Prilucik at 509-225-0637 for more information.

3. Applicant shall meet and comply with the requirements of the **Benton Franklin Health District**. The BFHD has reviewed the short plat proposal and finds that it generally meets their requirements for plats utilizing on-site sewage systems and public water supply provided:

   a. All lots shall have a minimum of 1/2 acre in size and contain a minimum of 20,000 square feet of usable land area.

   b. All wells, irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.

   c. Prior to final approval, this office must be given the opportunity to review the final plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2, and WAC 246-272A, and issue appropriate comments to the Benton County Planning Department.

   d. Prior to the issuance of any onsite sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot. It is recommended that some provision be made to facilitate future connection to a municipal sewer utility at such time as said utility becomes available.

   e. It is recommended that some provision be made to facilitate future connection to a municipal sewer utility at such time as said utility becomes available.

   f. The following statement is placed on the plat:

      "This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton-Franklin Board of Health Rules and Regulation at the time of permit issuance. Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections, percolation tests, and/or other requirements at a later date."

   g. Please contact Justin Gerber at 509-460-4330 for more information.

4. Applicant shall meet and comply with the requirements of the **Benton PUD** including the following:

   a. A power layout was submitted to the developer which is not reflected on the submitted plans.

   b. Benton PUD will require a 10-foot utility easement along all road frontages.

   c. For more information, please contact Tina Glines at 509-582-1241.

5. Applicant shall meet and comply with the requirements of the **Benton County Fire Marshal** including the following:
    a. Applicant will be required to meet the requirements of BCC 3.18.045 for Private Roads and Driveways on each newly created lot.
    b. Prior to final plat approval, the following shall be required:
        i. Water system plans and specifications which comply with these regulations must be designed and stamped by a registered, professional engineer licensed in the State of Washington. Said plans shall be signed by the purveyor and shall be filed with the Benton County Fire Marshal and the Department of Health.
        ii. Water system plans shall be approved in writing by the Benton County Fire Marshal.
        iii. The approved water system shall be installed prior to final plat approval, or a statement shall be placed on the plat indicating no building or Manufactured Home/FAS installation permit will be issued until the water system is installed, operating, and approved.
        iv. Two (2) copies of the "as built" drawings must be filed with the Benton County Fire Marshal.
    c. When the distribution system is installed, said installation must be under the direction of a registered, professional engineer licensed in the State of Washington who shall certify the construction of the system is in accordance with the approved design.
    d. Written approval from the Benton County Fire Marshal that the system is operating to specifications shall be submitted.
    e. Water mains shall meet the standards of Benton County Code 3.18.035.
    f. Fire hydrants shall meet the standards of Benton County Code 3.18.036.
    g. Location of hydrants shall be determined by the Benton County Fire Marshal. The location of all water mains, fire hydrants, and valves to be installed shall be properly and accurately marked on identifiable plans or drawings. Two (2) copies of all plans or drawings shall be furnished to the Benton County Fire Marshal.
    h. Fire hydrant spacing shall meet the standards of Benton County Code 3.18.037.
    i. Fire hydrants maintenance shall comply with Benton County Code 3.18.038.
    j. Minimum fire flow requirements shall comply with Benton County Code 3.18.039.
    k. Purveyor requirements shall comply with Benton County Code 3.18.040.
    l. Please contact the Benton County Fire Marshal, Clark Posey, at (509) 735-3500 or Clark.Posey@co.benton.wa.us for more information.

6. Applicant shall meet and comply with the requirements of the **Department of Ecology**, including the following:

   a. If the project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. 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.

   b. 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.

   c. In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

   d. More information on the stormwater program may be found on Ecology's stormwater website at: www.ecy.wa.gov/programs/wq/stormwater/construction/.

   e. Please submit an application or contact Lloyd Stevens Jr. at the Dept. of Ecology, 509-574-3991 or email lloyd.stevensjr@ecy.wa.gov, with questions about this permit.

7. Applicant shall meet and comply with the requirements of the **Kennewick Irrigation District** including the following:

   The property identified on the proposed Preliminary plat is located within the boundaries of KID. The property within this Preliminary plat is not classified as irrigable land. Accordingly, KID provides the following comments to be included as required conditions of approval by the legislative authority under RCW 58.17 .310(2):

   a. The plat shall include the following irrigation easements consistent with KID requirements:

      i. On all lots within the plat, dedicate to KID an irrigation easement 10 feet in width, or five (5) feet in width if adjacent to a utility easement, located along the road frontage or access easements of each lot. An irrigation easement may be included within the 'sidewalk and utility' easement if one is proposed, denoting the easement as a "Sidewalk, Utility, and Irrigation Easement. "

   b. KID asserts rights to recapture artificially stored groundwater within KID Boundaries, particularly within the Pasco Gravel units' groundwater aquifer. KID opposes the use of domestic wells drilled within the Badger Coulee shallow aquifer. KID is confident that its position regarding the artificially stored groundwater in the perched aquifer is supported by the facts and the law. A RH2 Engineering report titled, "Badger Coulee Recapture of Artificially-stored Project Water Report", clearly states that the Pasco Gravels is artificially stored water which KID asserts rights to recapture.

i. KID understands the existing potable water distribution system well is drilled into the lower aquifer and does not impact the Badger Coulee shallow aqu(fer. Use of the existing well for domestic water is uncontested by KID.

In addition, pursuant to RCW 58.17.310 (1 ), KID would like to inform the County of the following information regarding the effect of the proposed preliminary plat upon the structural integrity (including lateral support) of KID's facilities, other risk exposures, and the safety of the public and irrigation district, and related conditions of approval that KID deems to be necessary as a result:

c. The East Badger ("West Fork Amon") Drain runs longitudinally through the subject property. It is the position of KID that (a) the East Badger Drain is not a water of the United States and is not within the jurisdiction of the Clean Water Act (CWA); and, alternatively, (b) the proposed construction of an engineered crossing in the East Badger Drain by a private developer is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.

   i. The East Badger Drain is Not a Water of the United States

      1. It is the position of KID that the East Badger Drain is an irrigation ditch that is not a water of the United States. The East Badger Drain was constructed in the 1950s as a part of the drainage system for the Kennewick Division of the United States Bureau of Reclamation (Reclamation). Prior to the application of irrigation water to the lands in Badger Coulee, the presence of any water in what is now the East Badger Drain would have been ephemeral in nature and in response to a sustained and voluminous precipitation event, such as rain-on- snow. It was a dry wash in an arid desert that receives on average 7-inches of precipitation in a year. Today, to the extent that any flows are present in the East Badger Drain, they are KID irrigation return flows. Furthermore, even when some irrigation return flows are present in parts of the East Badger Drain during irrigation season, there are hydrological breaks in which surface water is not present. There is no direct connection to perennial waters located further downstream.

      2. In their proposed revised definition of the "Waters of the United States", the U.S. Army Corps of Engineers and the Environmental Protection Agency (the "agencies") state the following:

         The preamble to the 1986 regulations explains that "[n]on-tidal drainage and irrigation ditches excavated on dry land" are generally not considered "waters of the United States. " 5 l FR 4 l 2 l 7. The agencies shifted this approach slightly in the Rapanos Guidance and explained that "ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water are generally not waters of the United States." Rapanos Guidance at l 1-12. The agencies explained that these features are generally not considered "waters of the

United States" "because they are not tributaries or they do not have a significant nexus to downstream traditional navigable waters." Id.

The agencies intend to continue implementing the approach to ditches described in the Rapanos Guidance. This approach is more consistent with the relatively permanent standard than the approach in the preamble to the 1986 regulations. Consistent with previous practice, ditches constructed wholly in uplands and draining only uplands with ephemeral flow would generally not be considered "waters of the United States."

Revised Definition of the "Waters of the United States", 86 Fed. Reg. 69,433 (December 7, 2021).

3. KID's approach to the East Badger Drain aligns with the agencies Rapanos guidance. The East Badger Drain is a ditch "excavated wholly in and draining only uplands and…do[es} not carry a relatively permanent flow of water."

ii. The Construction of an Engineered Crossing Does Not Convert the Use of the East Badger Drain

1. Even if the East Badger Drain were erroneously considered a water of the United States, the proposed construction of an engineered crossing in the East Badger Drain is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.

2. As it is reflected in the Joint Memorandum to the Field Between the U.S. Department of the Army, Corps of Engineers and the U.S. Environmental Protection Agency Concerning Exempt Construction or Maintenance of Irrigation Ditches and Exempt Maintenance of Drainage Ditches under Section 404 of the Clean Water Act (July 24, 2020), 404(f) has a recapture provision that is designed to override the permitting exemptions in section 404(f)(1).

   It states the following: Any discharge of dredged or fill material into the navigable waters incidental to any activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject, where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced, shall be required to have a permit under this section. 33 U.S.C. 1344(f)(2).

3. The construction of an engineered crossing will not be bringing an area of navigable waters into a use to which it was not previously subject. The East Badger Drain will remain a drain. Water, if present, will continue to flow through it. Furthermore, the flow of any waters present in the drain will not be impaired and the reach of those waters will not be reduced because of the construction of an engineered crossing. If anything results from the

construction of an engineered crossing, it would be the increased reach of any irrigation return waters present in the drain.

4. The recapture provision in 404(f) is particularly concerned with the conversion of waters into dry land and the blockage of waters. Senator Muskie, one of the primary sponsors of the CWA, explained the scope and intention of the recapture provision:

   New subsection 404(f) provides that Federal permits will not be required for those narrowly defined activities that cause little or no adverse effects either individually or cumulatively. While it is understood that some of these activities may necessarily result in incidental filling and minor harm to aquatic resources, the exemptions do not apply to discharges that convert extensive areas of water into dry land or impede circulation or reduce the reach or size of the water body. A Legislative History of the Clean Water Act of 1977: A Continuation of the Legislative History of the Water Pollution Control Act, at 474 (1978).

5. The construction of an engineered crossing will not "convert extensive areas of water into dry land or impede circulation or reduce the reach or size" of any waters in the East Badger Drain.

iii. Conclusion

1. The East Badger Drain is not a water of the United States subject to 404 permitting.
2. In addition, standard maintenance and construction activities in and around irrigation ditches have and continue to be exempt from the Clean Water Act. Thus, even if the East Badger Drain was erroneously considered a water of the United States, the construction of an engineered crossing in an irrigation ditch such as East Badger Drain constitutes a standard construction activity that is not subject to the recapture provision of 33 U.S. C. 1344(f)(2).

d. KID requests the following in relation to the East Badger Drain:

i. KID review and approval of grading and construction plans is required to allow KID to ensure road crossings over the East Badger Drain maintain adequate flows. Such review and approval will be coordinated as part of the County's review and Preliminary Plat approval process.

1. The Storm Report submitted as a part of the preliminary plat recommends sizing the culverts for Road A based on the 25-year event. KID requests the developer design the crossing/or the 100-year storm event.

ii. Design considerations for proposed sanitary sewer infrastructure within this development shall include the potential for sewer effluent leakage and seepage into the East Badger Drain, and mitigation measures to prevent such.

iii. The East Badger Drain is connected to waters of the United States. Mitigation to prevent storm water from entering the East Badger Drain from the subject development is required.

1. Stormwater systems for the project shall be designed to retain, at minimum, a 100-year storm event above the East Badger Drain.

Finally, KID requests the following additional conditions of Preliminary Plat approval:

e. The following fees for review must be paid prior to KID signature on the Preliminary Plat:

i. A Preliminary Plat review fee (at the time of application, fee is $175.00).

ii. Fees are subject to change and depend on the date the Preliminary Plat is submitted for final approval.

iii. Please call KID customer service at the number listed above to arrange for payment. Payment may be made by 1) check via mail, 2) check over the phone, 3) check placed in the KID drop-box, and 4) credit card over the phone (please note there is a 2. 75%surcharge added to all credit card transactions).

f. Please include the following irrigation title block on future final plats related to the proposed preliminary plat:

i. I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THIS DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON THIS PRELIMINARY PLAT ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.

g. All subdivisions of land are required to be approved by the KID Board of Directors during a KID Board Meeting. KID Board Meetings are regularly scheduled on the first and third Tuesdays of each month. All conditions must be completed prior to submittal to KID for final approval. The submittal for final approval must be received by KID a minimum of one week prior to a regularly scheduled Board Meeting to be considered at that meeting. This change can potentially extend the approval process by a minimum of one week.

h. Please contact Jason McShane at (509) 586-9111 for more information.

8. Applicant shall meet and comply with the requirements of the **Benton County Planning Division**, including the following:

a. The applicant shall meet and comply with the SEPA Determination for this application, including the MDNS with mitigation/conditions issued by the Planning Division on June 3, 2022 (PCM 1.10).

i. Benton County Public Works recommendation as outlined in their letter dated May 23, 2022 (PCM 1.15);

ii. Kennewick Irrigation District recommendation as outlined in their letter dated May 25, 2022 (PCM 1.18);

iii. Benton Clean Air Agency recommendation as outlined in their letter dated May 9, 2022 (PCM 1.13);

iv. Benton County Fire Marshal recommendation as outlined in their letter dated May 11, 2022 (PCM 1.16); and

v. State of Washington Department of Transportation recommendation as outlined in their letter dated May 25, 2022 (PCM 1.17).

b. The applicant shall meet and comply with the recommended design and project compliance, stormwater system design, proposed erosion control plan and proposed maintenance plan identified in the Preliminary Storm Drainage Report prepared by MacKay Sposito dated April 1, 2022 (PCM 1.6).

c. Please show building envelopes on the final plat containing the following setbacks:

i. Front: fifty-five (55) feet from the centerline of any public road right-of-way or twenty-five (25) feet from the property line bordering any public road right-of-way, whichever is greater;

ii. Rear: twenty-five (25) feet from the rear property line;

iii. Side: ten (10) feet from the side parcel lines; and

iv. Outside of all easements and associated setbacks.

d. Please revise the spelling of Cottonwood in the title block.

e. Please replace the reference to Cottonwood Creek Ph 2 with an Auditor File Number for the 50’ drainage easement on the northern portion of the development.

f. Please propose 3 road names for each new road within the plat to be reviewed and approved by the Benton County GIS Department prior to final plat.

g. The applicant shall work with Benton County GIS to show the temporary addresses on the final plat map.

h. Show the location, name, right-of-way widths, and type of surfacing of all streets located within and adjacent to the land to be subdivided on the plat map.

i. Indicate any areas within the plat having a slope of fifteen (15) percent or greater.

j. Please include the following signatures blocks on the final plat:

i. Owner/Notary

ii. Chairman of the Benton County Board of County Commissioners

iii. Chairman of the Benton County Planning Commission

iv. Benton County Engineer

v. Benton PUD

vi. Benton-Franklin Health District

vii. Kennewick Irrigation District

viii. BC Water Co.

ix. Benton County Treasurer

x. Benton County Assessor

k. The following notes shall be placed on the final plat:

i. "During construction on each property, all construction debris shall be maintained on-site and properly disposed of. Dust control measures including an adequate water supply shall be provided".

ii. "Address numbers [noted in brackets] are subject to change until the exact location of access onto the short plat is determined."

iii. "The utility easements shown hereon are hereby granted for the use, access and maintenance by the short-platted property's current utility provider. Said utility easements are for the use, access and maintenance of electric power, telephone, cable and any other defined utilities to and or through said tract."

iv. "Prior to the granting of a building or factory assembled (FAS) permit for each lot by the County, the applicant for a building or FAS permit must provide evidence of potable water from BC Water Co. services."

v. "Potable and irrigation water are provided by BC Water Co. for this plat."

vi. "This plat shall not have access to Badger Road."

9. Preliminary plat approval shall be effective for 5 (five) years from the date of Board of County Commissioner approval. Exceptions shall comply and approved subject to the provisions of BCC 9.05.110 (e) as currently existing or hereafter amended.

10. Any amendments to an approved preliminary plat must be completed in accordance with BCC 9.05.140 as currently existing or hereafter amended.

11. Prior to the final plat being reviewed for final approval, the requirements of the Benton County Planning Division, Benton County Fire Marshal, Benton County Engineer, Benton Franklin Health District, and other commenting agencies and conditions shall be met and complied with.

12. Final Plat applications shall be submitted to the Planning Division. An applicant shall submit a final plat application that follows BCC 9.07 - Final Plat standards and requirements, as currently existing or hereafter amended:

13. All lots in the final plat shall meet the design standards for final plat approval as specified in Benton County Code 9.09 - Design and Improvements, as currently existing or hereafter amended, and meet all of the zoning requirements as specified in Benton County Code, Title 11 - Zoning, as currently existing or hereafter amended.

14. The location and size of all irrigation and utility easements necessary for electric power, telephone service, water, sewer and cable TV are to be coordinated with the proper utilities and/or reviewing agencies and shown on the final plat. The developer will need to open the utility trenches, including road crossings, based on individual utility requirements and specifications.
15. Address numbers shall be coordinated with the Benton County GIS Department and placed on the final plat. Addresses [noted in brackets] are subject to change until the exact location of the dwelling and access onto the plat is determined.
16. The applicant shall coordinate with the Post Office regarding centralized box unit (CBU) locations for the development, if necessary.
17. All of the statements that are required to be on the notes of the plat shall be either: 1) recorded as a restrictive covenant on each applicable parcel with the County Auditor, or 2) described in detail in the developer's covenants that are recorded and provided to each lot owner, prospective landowner, and the Planning Division at the time of final plat approval and recording.
18. That the preliminary plat is modified in all necessary respects so that the final plat will reflect the requirements of approval. If the final plat will be in conflict with any of the conditions of approval as adopted by the Planning Commission as a result of the modifications, then the final plat must be reviewed by the Planning Commission at a public meeting for approval prior to sending the final plat to the Board of County Commissioners.

**SUGGESTED MOTION:**

The Planning Commission forwards a **recommendation of approval** to the Benton County Board of Commissioners for Application SUB 2022-002/EA 2022-015, subject to the seven (7) findings of fact and eighteen (18) conditions of approval as stated in the staff memo (PCM 1.1) dated June 13, 2022, which includes the preliminary plat approval for 13 residential lots and that the Chairman, in conjunction with the Secretary of the Planning Commission, prepare and adopt written findings and conclusions reflecting the commission's recommendation for approval that articulate and are consistent with the findings, conclusions and recommendations made by the Planning Commission tonight.

# Cottonwood Creek Phase 4 Prel. Plat SUB 2022-002/EA 2022-015

**PCH 1.2**

5/3/2022, 9:56:02 AM

1:9,028

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

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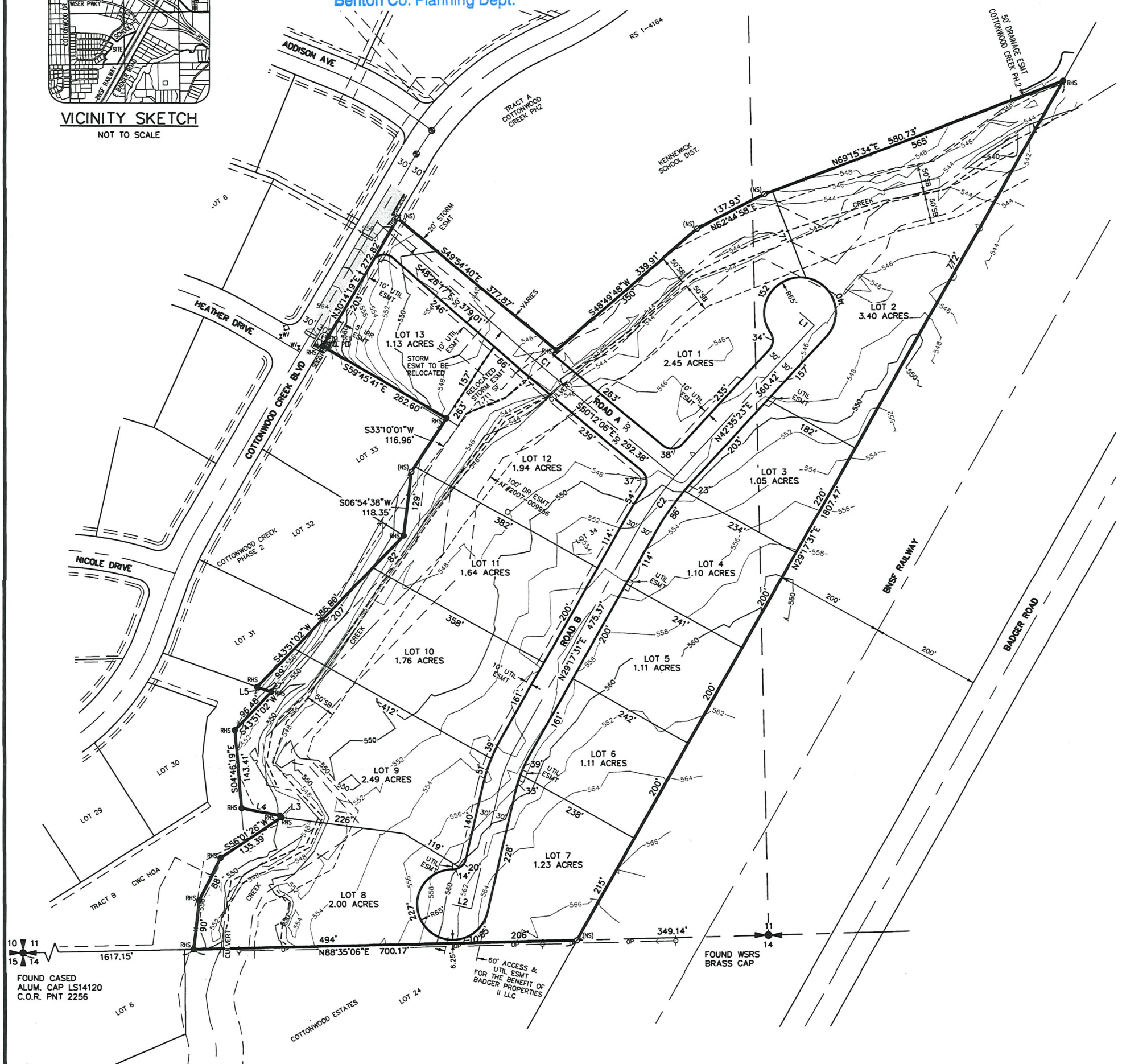
RECEIVED
APR 26 2022
Benton Co. Planning Dept.

PRELIMINARY PLAT OF

# COTONWOOD CREEK PHASE 4

SOUTH HALF OF SEC. 11, T.08N., R.28E., W.M.,
BENTON COUNTY, WASHINGTON

VICINITY SKETCH
NOT TO SCALE




| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | Δ | CH DIREC. | CHORD |
| C1 | 46.17 | 1500.00 | 1°45'49" | S49°19'11"E | 46.17 |
| C2 | 115.87 | 500.00 | 13°16'40" | S35°57'03"W | 115.61 |

| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | DIRECTION |
| L1 | 35.00 | S47°24'37"E |
| L2 | 35.00 | S77°09'56"E |
| L3 | 3.99 | S40°58'09"E |
| L4 | 72.34 | S79°10'38"E |
| L5 | 27.38 | S70°13'32"E |

## DESCRIPTION

LOT 34 OF THE PLAT OF COTTONWOOD CREEK PHASE 2, AUDITORS FILE NUMBER 2007-038954, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

## HORIZONTAL CONTROL

WASHINGTON STATE SOUTH ZONE, US SURVEY FEET, NAD 83(11). PER THE CITY OF RICHLAND CONTROL FILE, GPS TIES WERE MADE TO 2252, 2253 AND 2256 CONTROL POINTS. PROJECTED TO GROUND AT POINT 2256

GROUND DISTANCES ARE SHOWN HEREON.

## SURVEYOR NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. LOCATIONS OF SAID UTILITIES WERE DERIVED FROM FIELD ASBUILT OBSERVATIONS.

2. THE CONTOURS SHOWN WERE DERIVED FROM DIRECT FIELD OBSERVATIONS. ACCURACY OF SHOWN CONTOURS MEET OR EXCEED THE US NATIONAL MAP ACCURACY STANDARDS, OF ONE-HALF THE CONTOUR INTERVAL.

3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THEREFORE STRATTON SURVEYING AND MAPPING PC MAKES NO GUARANTEE THAT ALL ITEMS OF RECORD AFFECTING THE PROPERTY ARE SHOWN HEREON.

5. THIS IS A TOPOGRAPHIC MAP. THIS IS NOT A BOUNDARY SURVEY AND IS ONLY INTENDED TO DEPICT THOSE TOPOGRAPHIC FEATURES OR IMPROVEMENTS SHOWN HEREON. THE PROPERTY LINES SHOWN ARE RECORD LINES AND ARE ONLY SHOWN FOR GRAPHICAL REFERENCE.

6. THE PURPOSE OF THIS TOPOGRAPHIC SURVEY IS FOR THE USE AND AID IN THE DESIGN OF A PRELIMINARY PLAT.

7. FIELD WORK COMPLETED 12/01/21.

## NOTES

LOTS
NUMBER OF LOTS: 13 LOTS
LOT SIZE SMALLEST: LOT 13, 1.13 ACRES
LOT SIZE LARGEST: LOT 2, 3.40 ACRES
LOT SIZE AVERAGE: 1.72 ACRES
TOTAL PLAT ACREAGE: 25.58 ACRES

ROADS
ROAD LINEAR FEET: 2048 FT
ROAD AREA: 3.17 ACRES

ZONING
RL-1
-MINIMUM PARCEL SIZE ONE 1 ACRE/ 43,560 SF
-LOT WIDTH, EACH PARCEL SHALL HAVE AN AVERAGE LOT WIDTH OF NOT LESS THAN NINETY (90) FEET. PER BCC CHAPTER 11.14

UTILITIES
WATER: BADGER WATER
POWER: BENTON PUD
TELEPHONE: CHARTER
SEWER: ON-SITE
GAS: CNG

DEVELOPER/OWNER
BADGER PROPERTIES II LLC

FUTURE ROAD EXTENSION
LOTS 7 & 8 WILL RELINQUISH THE RIGHT TO PROTEST A FUTURE ROAD EXTENSION BY A NOTE ON THE FINAL PLAT.

## LEGEND

- RHS● = FOUND 5/8" REBAR W/YELLOW PLASTIC CAP MARKED "STRATTON 14120"
- ● = FOUND AS INDICATED
- (NS)Ø = NOT FOUND OR SET
- = FOUND AS INDICATED
- = CONCRETE CURB AND GUTTER
- = IRRIGATION VALVE
- = POWER POLE W/ GUY WIRE
- = POWER SWITCH
- = LIGHT POLE, PARKING
- = POWER TRANSFORMER
- P = POWER VAULT
- = SIGN
- = STORM CATCH BASIN
- = STORM MANHOLE
- TEL PEDO = TELEPHONE PEDESTAL
- WV = WATER VALVE
- WM = WATER METER
- = WATER FIRE HYDRANT
- = FENCE
- = EASEMENT
- = PROPERTY BOUNDARY
- = CENTERLINE
- OP OP = POWER LINE OVERHEAD
- = CONCRETE
- = ASPHALT

SCALE 1" = 100'
0 100 200 300

BASIS OF BEARING
WA STATE GRID
NAD83 PER C.O.R. CONTROL FILE

BASIS OF ELEVATION
CITY OF RICHLAND CONTROL FILE
PNT NO.2252
NAVD 88 DATUM
ELEV=601.42

EQUIPMENT USED
A THREE-SECOND TOTAL STATION
SPECTRA PRECISION RTK GPS

DEREK C. INGALBE
STATE OF WASHINGTON
46886
REGISTERED
PROFESSIONAL LAND SURVEYOR
4/15/22

PRELIMINARY PLAT FOR
BADGER PROPERTIES II

STRATTON SURVEYING & MAPPING P.C.
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
www.strattonsurvey.com

| | |
|---|---|
| 2245PP3B.DWG | © 2022 |
| DATE: 04/15/22 | SHT. 1 OF 1 |
| DRAWN BY: DCI | JOB # 2245 |

**Community Development Department**
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us

**Planning Division**
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

## NOTICE OF PUBLIC HEARINGS

NOTICE OF HEARINGS BEFORE THE BENTON COUNTY PLANNING COMMISSION in the matter of county planning at a special meeting on June 21, 2022, at 6:00 p.m., via **in person and virtual meeting format in the Meeting Room on the first floor of the Courthouse, 620 Market Street, Prosser WA. The entry to the meeting room is located off Main Street on the East side of the Courthouse.** To find information on virtual attendance options, including streaming video, WebEx video conferencing and telephone, please visit www.tinyurl.com/BCPublicNotice.

NOTICE IS HEREBY GIVEN that public comment will be taken on the following proposed applications before the Planning Commission at this meeting.

**ZC 2022-004 -** A proposal by Vicki Brock, requesting a change in the zoning designation from Heavy Industrial to Rural Lands 5 Acre on six parcels located north of E Cochran Rd and east of S Finley Rd in the Finley rural area of unincorporated Benton County, in the northwest Quarter of Section 23, Township 8 North, Range 30 East, W.M. on parcel #'s 123802012006001, 123802012006002, 123802012157001, 123802012157002, 123802000014000, and 123802000017000.

**ZC 2022-005** - A proposal by Thomas Fisher and Randall Underwood requesting a change in the zoning designation from Rural Lands 5 Acre to Light Industrial on three (3) contiguous parcels located north of SR 397 and west of S Yew Street, east of the Kennewick City Limits in Sections 5 & 8, Township 8 North, Range 30 East, W.M. parcel #'s 105803012350003, 105803012350002, and 108801020004003.

**ZC 2022-006** - A proposal by Jerritt Wiser requesting a change in the zoning designation from Interchange Commercial to Light Industrial on seven (7) parcels located off Wiser Loop and Wiser Parkway in Section 11, Township 8 North, Range 28 East, W.M. parcel #'s 111881020000007 through 111881020000012 and 111881020000014.

NOTICE IS FURTHER GIVEN that the proposed zone change applications have been reviewed under the requirements of the State Environmental Policy Act and Determinations of Non-Significance (DNS) were issued on January 27, 2022. Accordingly, Environmental Impact Statements were not required on any of these proposals. Any comments regarding these determinations and the environmental impacts of the proposals can be made at the Planning Commission Hearing using the method noted below or in writing to the Benton County Planning Division by 3 p.m. on Friday June 17, 2022.

**SUB 2022-001 -** The preliminary plat of Harvest Ridge Phase 2 the subdivision of approximately 120.90 acres into 101 residential lots with an average lot size of 1.04 acres by Geoff Clark dba Candy Mountain, LLC. The site is located east of Interstate 82 and north of Reata Road on west half of the north half of Lot 1 of the plat of the Ridge at Reata West Phase

1, in Section 5, Township 8 North, Range 28 East, W.M. in Richland, WA on parcel number 1-0588-402-0000-052.

**SUB 2022-002** - The preliminary plat of Cottonwood Creek Phase 4 by Badger Properties II for the subdivision of approximately 25.58 acres into 13 residential lots with an average lots size of 1.72 acres. The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034.

NOTICE IS FURTHER GIVEN that the proposed subdivision applications have been reviewed under the requirements of the State Environmental Policy Act and Mitigated Determinations of Non-Significance (MDNS) were issued on June 3, 2022. Accordingly, Environmental Impact Statements were not required on any of these proposals. Any comments regarding these determinations and the environmental impacts of the proposals can be made at the Planning Commission Hearing using the method noted below or in writing to the Benton County Planning Division by 3 p.m. on Friday June 17, 2022.

Comments regarding the proposed amendments or SEPA determinations of the proposals may also be submitted in writing to the Benton County Planning Division; P.O. Box 910, Prosser, WA 99350 or via email to planning.department@co.benton.wa.us. No individual with a disability shall be denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at a public meeting, please contact the Benton County Planning Division at least ten days prior to the meeting date to make arrangements for special needs.

At this hearing, the Planning Commission may recommend approval, or disapproval of the proposals to the Benton County Board of Commissioners. All parties concerned may present any support or objections for the applications. Information concerning the applications can be obtained at the Benton County Planning Division, by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser) or by visiting www.tinyurl.com/BCPublicNotice.

Dated this 3rd day of June 2022.

Martin Sheeran, Chairman
Benton County Planning Commission

Michelle Cooke, Manager
Planning Division

PUBLISH: June 8, 2022

**BENTON COUNTY PRELIMINARY PLAT APPLICATION**

File No. SUB 2022-002

RECEIVED
APR 26 2022
Benton Co. Planning Dept.

Subdivision Name: Cottonwood Creek Phase 4

1. Applicant Name: Badger Properties II Attn: Jerritt Wiser
   Applicant Address: Coldwell Banker, 8836 Gage Blvd, Suite 101b, Kennewick WA 99336
   Telephone number: Home _____ Work (509) 627-7164 – Clayne

2. If you wish to be contacted via email, please list your email address: _____
   Does not work → jwiser@cbtabs.com, claynewiser@gmail.com

3. Legal Owners Name: Badger Properties II, LLC
   Legal Owners Address: 22307 S Cottonwood Drive SE, Kennewick WA 99338
   Telephone number: Home _____ Work (509) 627-7164

4. Name and address of land surveyor Stratton Surveying & Mapping PC
   313 North Morian Street, Kennewick, WA 99336
   Telephone 509-735-6560

5. Name and address of engineer MacKay Sposito Attn: Paul Harmsen
   1110 Osprey Pointe Blvd, Suite 105, Pasco, WA 99301
   Telephone 509-619-7088

6. Parcel number and Legal description of property included in the preliminary plat:
   Lot 34, Cottonwood Creek Phase 2 1-1188-303-0000-034
   S. 1/2 of Section 11, T08N, R28E, WM, Benton County, Washington

7. **Land Use Information:**
   a. Total area involved 25.58 acres
   b. Total number of lots 13
   c. Smallest lot area 49,223 sq-ft
   d. Average lot area 74,923 sq-ft

e. Acreage in parks n/a

f. Length of public streets 2048 ft

g. Total acreage of public streets 3.17 acres

8. Proposed annexation plans n/a

9. Plat will be served by:
Water: Individual Wells _____ City Water _____

Name of City Provider _____

Private Water System x Name & Address of Private System _____
BC Water Co, 22307 S Cottonwood Dr, Kennewick WA 99338

Sewer: Septic Tank x City Sewer _____ Private System _____

Power: P.U.D. x R.E.A. _____

Telephone: Frontier Telephone x Sprint Telephone _____

Natural Gas: Yes x No _____ Name of Utility CNG

Cable T.V. Yes x No _____ Name of Utility Charter Communications

Irrigation: Yes x No _____ Name of Utility BC Water

Private Irrigation Lines: Yes x No _____

10. School District Kennewick School District

11. Fire District Benton County, Fire District #1

12. Any other comments or information that is significant _____

13. Will this plat be finalized in phases? Yes _____ No x If so, how many? _____

14. Comprehensive Plan Designation Rural Transition

15. Zoning Designation RL-1

IF YOU HAVE ANY ADDITIONAL COMMENTS PLEASE ATTACH THEM ON A SEPARATE SHEET OF PAPER.

I also certify that the information given in this application is true and complete to the best of my knowledge.

**Signature Block for individuals only.**

| | | |
|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

**ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**

**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: Kay L. Wiser, member
(print name) (Title)

Signature: Kay L. Wiser, member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

IF YOU HAVE ANY ADDITIONAL COMMENTS PLEASE ATTACH THEM ON A SEPARATE SHEET OF PAPER.

I also certify that the information given in this application is true and complete to the best of my knowledge.

**Signature Block for individuals only.**

| | | |
|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

**ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**

**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerritt Wiser

By: Jerritt Wiser, member
(print name) (Title)

Signature: [signature], member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerritt Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

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| Signature of Person with additional ownership interest | Print Name | Date |

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**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: Matt Wiser, member
(print name) (Title)

Signature: _____, member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

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**Signature Block for individuals only.**

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|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

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**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: TALON S. WISER member
(print name) (Title)

Signature: Talon S. Wiser member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

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**Signature Block for individuals only.**

| | | |
|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

**ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**

**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: Brad Wiser, member
(print name) (Title)

Signature: BTW, member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

IF YOU HAVE ANY ADDITIONAL COMMENTS PLEASE ATTACH THEM ON A SEPARATE SHEET OF PAPER.

I also certify that the information given in this application is true and complete to the best of my knowledge.

**Signature Block for individuals only.**

| | | |
|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

**ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**

**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: Kurtis Wiser (print name), member (Title)

Signature: [signature] (Signature), member (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

IF YOU HAVE ANY ADDITIONAL COMMENTS PLEASE ATTACH THEM ON A SEPARATE SHEET OF PAPER.

I also certify that the information given in this application is true and complete to the best of my knowledge.

**Signature Block for individuals only.**

| | | |
|---|---|---|
| Applicant's Signature | Print Name | Date |
| Signature of Legal Owners | Print Name | Date |
| Signature of Person with additional ownership interest | Print Name | Date |

**ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**

**If the applicant or owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.**

Applicant or legal owner: Badger Properties II / Jerrit Wiser

By: Clayne Wiser, member
(print name) (Title)

Signature: _____, member
(Signature) (Title)

The above signed officer of Badger Properties II (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jerrit Wiser to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

**FEE:** $1,000.00, plus $50.00 per lot submitted with the application. Checks are to be **made payable to the Benton County Treasurer. THIS FEE IS NON-REFUNDABLE. THE RECORDING FEE IS TO BE PAID AT THE TIME OF RECORDING.**

**FOR OFFICIAL USE ONLY:**

Critical Area Review Completed by _____ on _____.

Application approved for processing by _____ on _____

Zoning _____Comp Plan Designation_____

PCH 1.6

# COTTONWOOD CREEK PHASE 4

RECEIVED
APR 26 2022
Benton Co. Planning Dept.

# Preliminary Storm Report

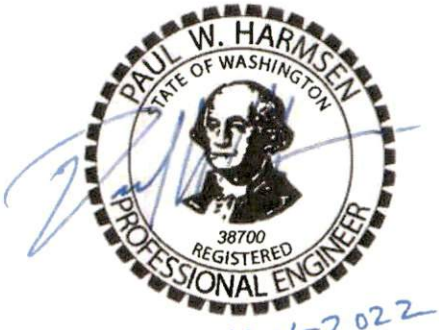
**Prepared for:**

Badger Development, LLC
22307 S. Cottonwood Drive
Kennewick, WA 99338

**March, 2022**

**Prepared by:**

MacKay Sposito
1110 Osprey Point Blvd
Pasco, WA 99301
(509) 374-4248




4-4-2022

## BACKGROUND

The project is located in Badger Canyon in Benton County. The project is located just south of the I-82 and Badger Canyon Road interchange. The project consists of constructing approximately 2,000 linear feet of public roads that will be dedicated to Benton County upon completion and acceptance of construction. There are no existing wetlands or streams on the property, however the Badger Drain easement routes through the project. This drain is dry year round. The project includes developing 13 single family residential lots.

## SOILS

The National Resource Conservation Service (NRCS) soil surveys were used to determine soil type. Soil type in this project area is loamy fine sand and sandy loam. The soil has an estimated infiltration rate of 92 micrometers/second. This equates to an infiltration rate of 13 inches / hour. Design infiltration rate was calculated by dividing this infiltration rate by a factor of safety of 4; this equates to a design infiltration rate of 3.3 in/hr.

## STORMWATER RUNOFF CONTROL

The project consists of constructing two public roads. The road section consists of 28' wide paved roads with 1 foot wide gravel shoulders and grass or rock lined ditches on both sides of the roads. At this phase of the project, the roadways, utility easement, and other minor grading areas will be the only disturbed ground.

### Basins

Analysis of the stormwater for this project included the review of one on-site basin and 5 off-site basins. Each of these basins have the potential to discharge runoff to the Cottonwood Creek Phase 4 plat.

1) Offsite Basin 1 is located on the west side of Cottonwood Drive. This is a basin consisting of 2.5 acre residential parcels. Runoff from this basin flows under Cottonwood Drive through an existing culvert. A stormwater infiltration and detention pond was installed in Cottonwood Creek Phase 3 to collect and infiltrate runoff from the 24-hour, 25-year storm from Basin 1. Therefore, Basin 1 is not expected to discharge runoff to the current proposed project.
2) Basin 2 is the Cottonwood Creek Phase 3 plat. Runoff from Basin 2 is collected and infiltrated on site in roadside ditches and infiltration ponds built into the roadside ditches. Therefore, Basin 2 is not expected to discharge runoff to the current proposed project.
3) Storm Basin 3 is the Cottonwood School property where the roof and pavement runoff are also collected and infiltrated on site. Basin 3 is not expected to discharge runoff to the current proposed project.

4) Cottonwood Creek Blvd forms Basin 4. Runoff from this basin is collected by curb and gutter along the school frontage and collected by system of roadside catch basins and drywells. This basin has an overflow to an existing stormwater pond that is located east side of the proposed Lot 13. This pond will be relocated as part of this plat.
5) Offsite Badger Drain Basin 5 consists of runoff that is collected into the Badger Drain from surrounding off-site areas upstream of the site; this basin boundary and estimated runoff was determined using USGS StreamStats data.
6) Onsite Basin 6 is the boundary of the proposed development. The roadway section throughout the project is a standard crown section, sloping 2% from the centerline of the road to each ditch. Runoff from the lots and road will be collected in the roadside ditches on either side of the road. Runoff in the ditches will be infiltrated in the roadside ditches.

Stormwater management will consist of two facilities. Facility #1: The stormwater infiltration and detention pond at the east side of Lot 13 that will be moved away from the property to the east side of the lot. This detention pond will collect and infiltrate offsite runoff entering the project through an existing overflow conveyance system from Cottonwood Creek Blvd.

Facility #2: The second proposed facility is the swales created in the roadside ditches at each property driveway. These swales will hold and infiltrate runoff from the roads and lots within the plat.

The proposed infiltration swales will be used to control runoff so that the mitigated site runoff rate and volume will be equal to or less than the natural state runoff.

**Badger Drain Culvert**

Through discussions with the County Engineer, it has been determined that the culverts for Road A that cross the Badger Drain should be sized to convey the 25-year storm. The 25-year storm runoff was determined using the USGS StreamStat data and the resultant flow is 525 cfs for the 25-yuear storm. To convey this runoff, two 6 ft diameter culverts are proposed (see Appendix B for Culvert calculations).

**Modeling Results**

The 25-year, 24-hour rainfall event was used for the calculation of the developed state stormwater runoff quantity control analysis tributary basins (Based on Table 1 of the Benton County Hydrology Manual for an 'other' road). Existing conditions were modeled and offsite basins that drain into the project were modeled.

The HydroCAD 10.00 and associated calculations for runoff rate and runoff volumes were utilized to determine roadway runoff and required retention/infiltration facility sizing.

The proposed facilities will be designed to infiltrate the difference between the natural and ultimate runoff volumes of the onsite basin so that at the downstream point of the

proposed development, the runoff in the mitigation condition will be less than or equal to the existing runoff at this same point.

The stormwater standard is that, at the point of discharge from the project site, the runoff in the mitigation condition shall be less than or equal to the existing runoff at this same point.

To determine how large the on-site facilities will need to be to meet this stormwater standard, the runoff volume from the on-site basin needed to be determined. For the Basin 6, the difference between the natural state and ultimate state is 18,568 cubic feet.

The roadside ditches will be designed to provide additional runoff rate control and volume control for stormwater before it leaves the site. Initially, the infiltration ditch on each side of the road for each lot is proposed to be 100 ft long. The ditch will have a V-bottom, 4:1 side slopes, and have a total depth of 2 feet. The driveway will create the swale for each lot.

Stormwater analysis and runoff volume calculations (included in Appendix B) have been summarized in **Table 1, Table 2, and Table 3** for the four stormwater basins.

**Table 1: Natural State Conditions, Stormwater Runoff Results, 25-year Storm**

| Basin | Description | Impervious Area (acres) | Pervious Area (acres) | Peak Runoff (cfs) | Total Volume (cf) |
|---|---|---|---|---|---|
| 1 | Offsite to Cottonwood Creek Drive[a] | 6.0 | 115.0 | 0.7 | 26,092 |
| 2 | Offsite Residential[b] | 8.6 | 47.0 | 1.8 | 74,313 |
| 3 | Offsite School | 1.1 | 13.3 | 0.3 | 14,549 |
| 4 | Offsite Cottonwood Creek Blvd | 2.4 | 0 | 0.5 | 11,900 |
| 5 | Offsite Badger Drain Basin | 3,263 | 11,333 | 521 | 23,842,313 |
| 6 | Onsite Basin [c] | 0 | 33.8 | 0.5 | 22,390 |
| Total | | | | 524 | 23,991,559 |

**Table 2: Ultimate Conditions, Stormwater Runoff Results, 25-year Storm**

| Basin | Description | Impervious Area (acres) | Pervious Area (acres) | Peak Runoff (cfs) | Total Volume (cf) |
|---|---|---|---|---|---|
| 1A | Offsite to Cottonwood | 6.0 | 115.0 | 0.7 | 26,092 |

| | | | | | |
|---|---|---|---|---|---|
| | Creek Drive[a] | | | | |
| 2 | Offsite Residential[b] | 8.6 | 47.0 | 1.8 | 74,313 |
| 3 | Offsite School | 1.1 | 13.3 | 0.3 | 14,549 |
| 4 | Offsite Cottonwood Creek Blvd | 2.4 | 0 | 0.5 | 11,900 |
| 5 | Offsite Badger Drain Basin | 3,264 | 11,333 | 521 | 23,842,313 |
| 6 | Onsite Basin[c] | 4.2 | 28.7 | 0.9 | 40,598 |
| Total | | | | 525 | 24,009,766 |

[a] Offsite basin is 2.5 acre lots
[b] Offsite basin is 1 acre lots
[c] Onsite basin is 1.73 average acre lots

**Table 3: Mitigated Conditions, Stormwater Runoff Results, 25-year Storm**

| Basin | Description | Impervious Area (acres) | Pervious Area (acres) | Peak Runoff (cfs) | Total Volume (cf) |
|---|---|---|---|---|---|
| 1A | Offsite to Cottonwood Creek Drive[a] | 6.0 | 115 | 0.7 | 26,092 |
| 2 | Offsite Residential[b] | 8.6 | 47.0 | 1.8 | 74,313 |
| 3 | Offsite School | 1.1 | 13.3 | 0.3 | 14,549 |
| 4 | Offsite Cottonwood Creek Blvd | 2.4 | 0 | 0.5 | 0 |
| 5 | Offsite Badger Drain Basin | 3,264 | 11,333 | 521 | 23,842,313 |
| 6 | Onsite Basin[c] | 4.2 | 28.7 | 0.5 | 14,550 |
| Total | | | | 524 | 23,971,817* |

[a] Offsite basin is 2.5 acre lots
[b] Offsite basin is 1 acre lots
[c] Offsite basin is 1.73 average acre lots
*Volume is reduced through infiltration in the proposed facilities

The combined result of the two proposed facilities is that the controlled runoff rate and volume is less in the mitigated condition than in the existing condition (See the Total row in Table 1 and 3).

Additionally, the proposed two 6 ft culverts will be adequate to pass the 25-year storm in the Badger Drain.

# Appendix A – Maps

Drainage Basin Map

USGS Stream Stat Map for Basin 5

Soils Map

PRELIMINARY REVIEW OF DEVELOPMENT DRAINAGE SYSTEM DESIGNS

# *COTTONWOOD CREEK PHASE 4*

S. 1/2 OF SEC. 11, T.08N., R.28E., W.M.,
BENTON COUNTY, WASHINGTON

BASIN 1–4 (OFFSITE)

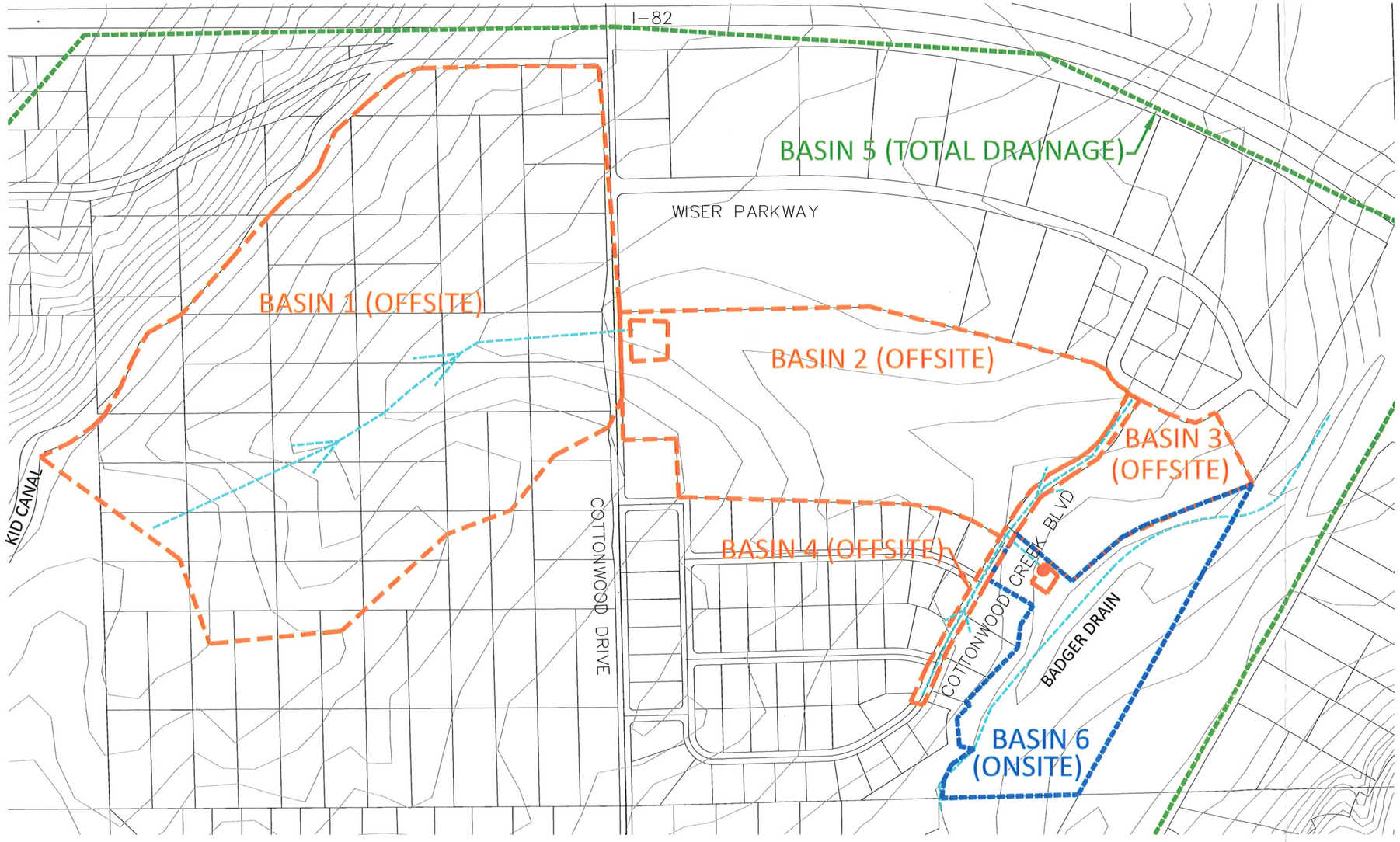
BASIN 5 (TOTAL DRAINAGE BASIN FOR BADGER DRAIN)

BASIN 6 (ONSITE)

OUTFLOW LOCATION

EXISTING DRAINAGE CHANNEL

VICINITY SKETCH
NOT TO SCALE




-N-

0 300 600
SCALE: 1" = 300'

FILE: K:\17817 COTTONWOOD CREEK PLAT\500 DESIGN\501 DOCUMENTS\REPORTS AND MEMOS\PRELIMINARY STORM REPORT\STORM BASINS.DWG

MacKay Sposito
ENERGY PUBLIC WORKS LAND DEVELOPMENT
www.mackaysposito.com

COTTONWOOD CREEK PHASE 3
BENTON COUNTY, WA
EXISTING DRAINAGE BASINS
DEVELOPMENT DRAINAGE SYSTEM DESIGN
PRELIMINARY REVIEW

REVISIONS:

| | |
|---|---|
| JOB NO.: | 16981 |
| DATE: | APRIL 2018 |
| SCALE: | 1"=300' |
| DESIGNED BY: | TS |
| DRAWN BY: | TS |
| CHECKED BY: | PWH |

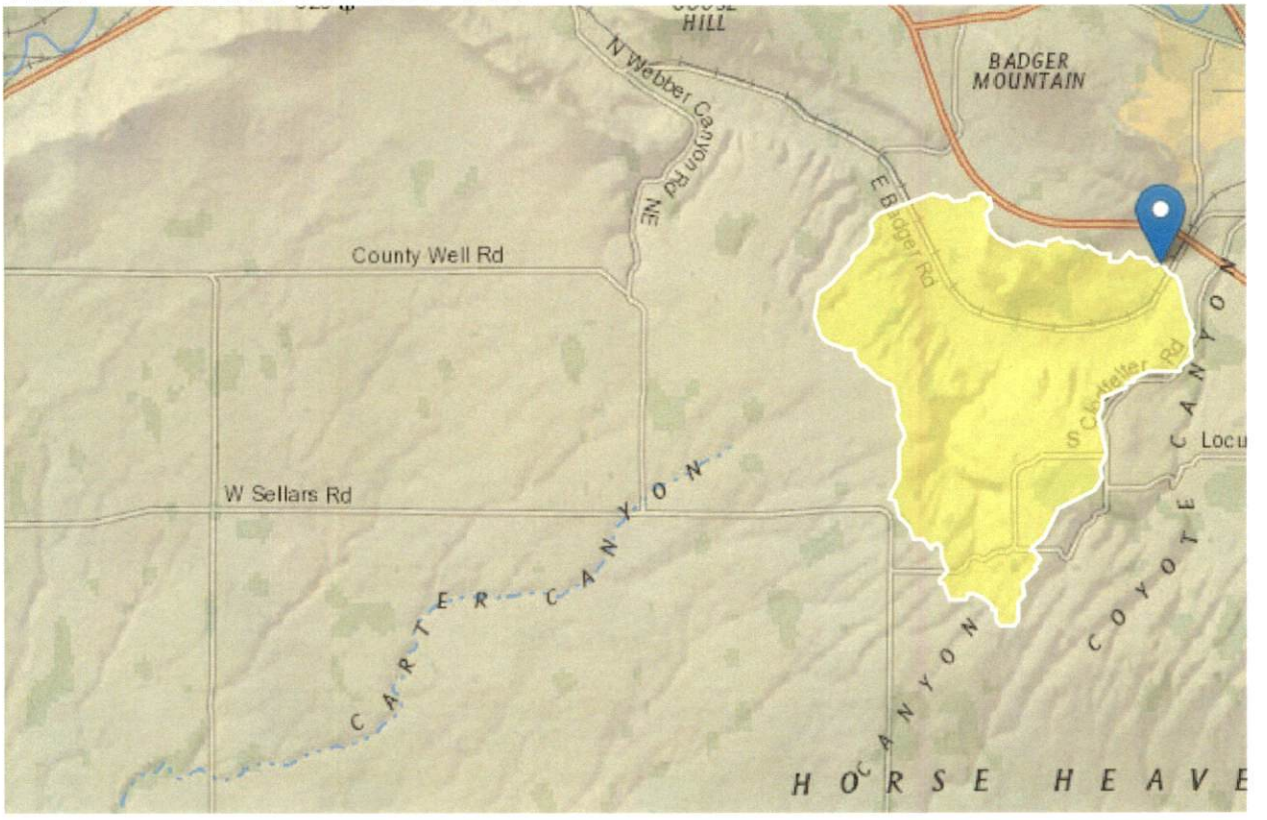
FIGURE B–1

EX-1

NO. 1 OF 1

# Basin 6 StreamStats Report

**Region ID:** WA
**Workspace ID:** WA20220304235548045000
**Clicked Point (Latitude, Longitude):** 46.18808, -119.27712
**Time:** 2022-03-04 15:56:08 -0800




## Basin Characteristics

| Parameter Code | Parameter Description | Value | Unit |
|---|---|---|---|
| DRNAREA | Area that drains to a point on a stream | 23.16 | square miles |
| PRECPRIS10 | Basin average mean annual precipitation for 1981 to 2010 from PRISM | 9.21 | inches |
| CANOPY_PCT | Percentage of drainage area covered by canopy as described in OK SIR 2009_5267 | 0.001 | percent |

## Peak-Flow Statistics Parameters [100.0 Percent (23.2 square miles) Peak Region 2 2016 5118]

| Parameter Code | Parameter Name | Value | Units | Min Limit | Max Limit |
|---|---|---|---|---|---|
| DRNAREA | Drainage Area | 23.16 | square miles | 0.42 | 1330 |
| PRECPRIS10 | Mean Annual Precip PRISM 1981 2010 | 9.21 | inches | 8.86 | 84.2 |
| CANOPY_PCT | Percent Area Under Canopy | 0.001 | percent | 0 | 81.8 |

## Peak-Flow Statistics Flow Report [100.0 Percent (23.2 square miles) Peak Region 2 2016 5118]

PII: Prediction Interval-Lower, PIu: Prediction Interval-Upper, ASEp: Average Standard Error of Prediction, SE: Standard Error (other -- see report)

| Statistic | Value | Unit | PII | PIu | ASEp |
|---|---|---|---|---|---|
| 50-percent AEP flood | 38.9 | ft^3/s | 12.1 | 125 | 77.2 |
| 20-percent AEP flood | 135 | ft^3/s | 46.3 | 393 | 69.1 |
| 10-percent AEP flood | 262 | ft^3/s | 86.2 | 796 | 72.2 |
| 4-percent AEP flood | 525 | ft^3/s | 155 | 1780 | 81.2 |
| 2-percent AEP flood | 821 | ft^3/s | 221 | 3050 | 89.2 |
| 1-percent AEP flood | 1220 | ft^3/s | 301 | 4950 | 96.9 |
| 0.5-percent AEP flood | 1760 | ft^3/s | 396 | 7830 | 106 |
| 0.2-percent AEP flood | 2730 | ft^3/s | 543 | 13700 | 120 |

25-year Storm

*Peak-Flow Statistics Citations*

**Mastin, M.C., Konrad, C.P., Veilleux, A.G., and Tecca, A.E.,2016, Magnitude, frequency, and trends of floods at gaged and ungaged sites in Washington, based on data through water year 2014 (ver 1.1, October 2016): U.S. Geological Survey Scientific Investigations Report 2016–5118, 70 p. (http://dx.doi.org/10.3133/sir20165118)**

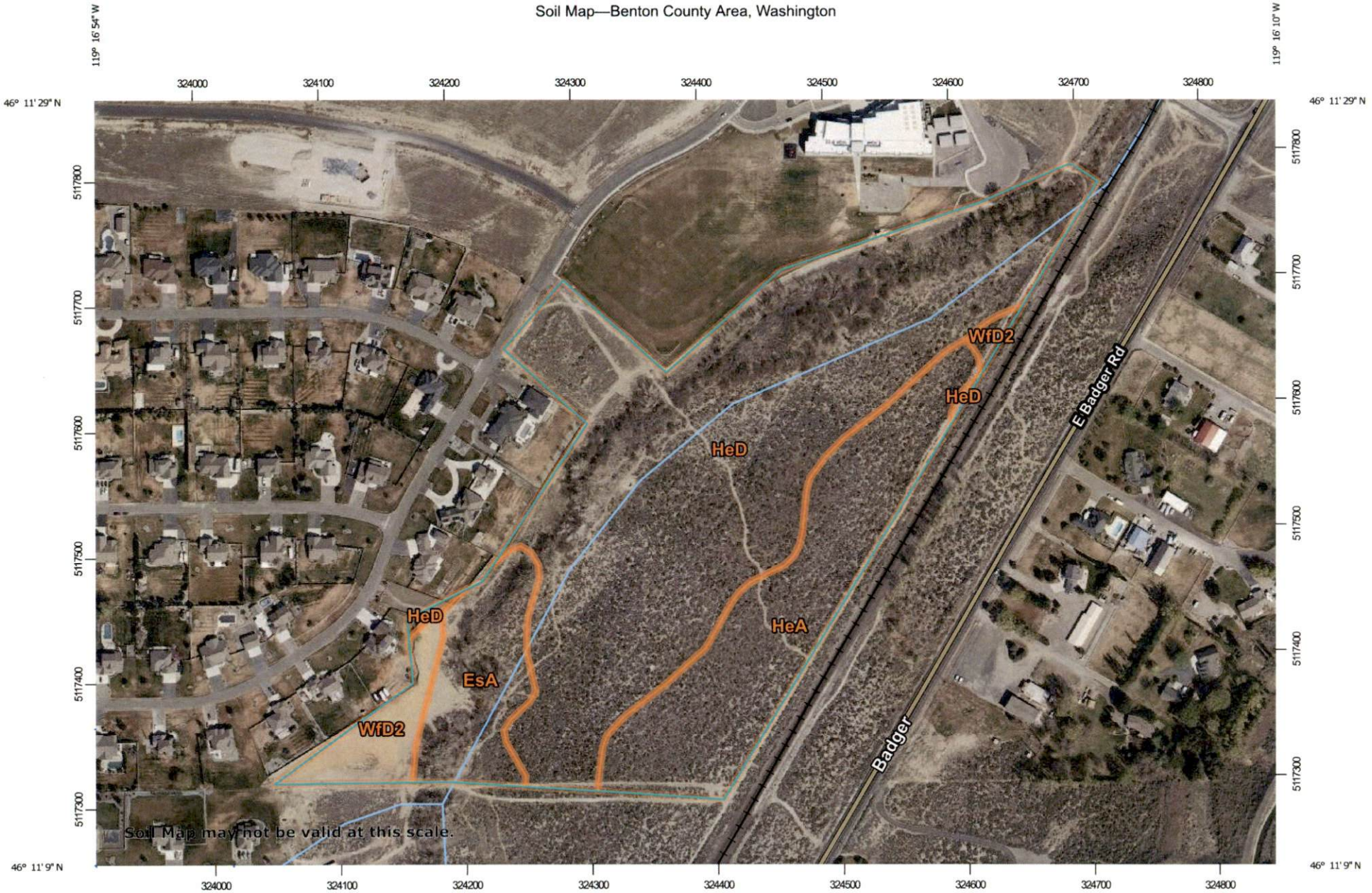
USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.7.0
StreamStats Services Version: 1.2.22
NSS Services Version: 2.1.2

# Soil Map—Benton County Area, Washington




Map Scale: 1:4,290 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

## MAP LEGEND

**Area of Interest (AOI)**

- Area of Interest (AOI)

**Soils**

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

**Special Point Features**

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

**Water Features**

- Streams and Canals

**Transportation**

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

**Background**

- Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Benton County Area, Washington
Survey Area Data: Version 17, Aug 23, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 16, 2021—Apr 17, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

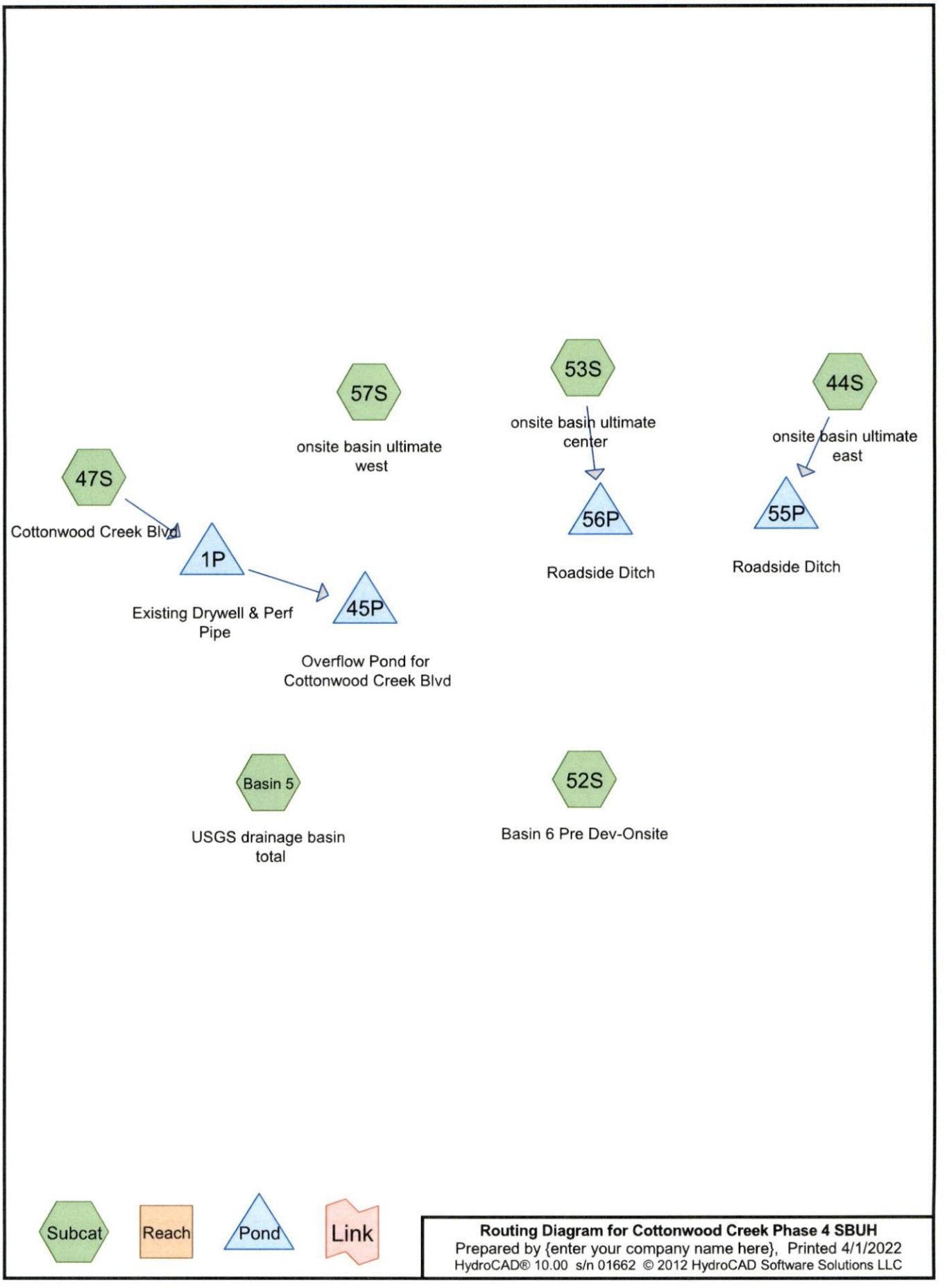
# Map Unit Legend

| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
|---|---|---|---|
| EsA | Esquatzel fine sandy loam, 0 to 2 percent slopes | 3.1 | 9.2% |
| HeA | Hezel loamy fine sand, 0 to 2 percent slopes | 7.4 | 21.8% |
| HeD | Hezel loamy fine sand, 2 to 15 percent slopes | 21.9 | 64.1% |
| WfD2 | Warden very fine sandy loam, 8 to 15 percent slopes, eroded | 1.7 | 4.9% |
| **Totals for Area of Interest** | | **34.1** | **100.0%** |

# Appendix B – Calculations

HydroCAD Modeling Results

Badger Drain Culvert Calculations




**Routing Diagram for Cottonwood Creek Phase 4 SBUH**
Prepared by {enter your company name here}, Printed 4/1/2022
HydroCAD® 10.00 s/n 01662 © 2012 HydroCAD Software Solutions LLC

**Cottonwood Creek Phase 4 SBUH**

Prepared by {enter your company name here}



HydroCAD® 10.00 s/n 01662 © 2012 HydroCAD Software Solutions LLC



## Area Listing (selected nodes)

| Area (acres) | CN | Description (subcatchment-numbers) |
|---|---|---|
| 0.161 | 98 | 1 lot (57S) |
| 1.034 | 98 | 1/2 Imp 6 lots (44S, 53S) |
| 11,396.550 | 74 | >75% Grass cover, Good, HSG C (44S, 52S, 57S, Basin 5) |
| 1.033 | 98 | IMP 6 LOTS (44S) |
| 3,263.500 | 98 | Paved parking, HSG A (Basin 5) |
| 0.746 | 98 | ROAD (47S) |
| 1.926 | 98 | road (44S, 53S, 57S) |
| **14,664.949** | **79** | **TOTAL AREA** |

## Soil Listing (selected nodes)

| Area (acres) | Soil Group | Subcatchment Numbers |
|---|---|---|
| 3,263.500 | HSG A | Basin 5 |
| 0.000 | HSG B | |
| 11,396.550 | HSG C | 44S, 52S, 57S, Basin 5 |
| 0.000 | HSG D | |
| 4.900 | Other | 44S, 47S, 53S, 57S |
| **14,664.949** | | **TOTAL AREA** |

**Cottonwood Creek Phase 4 SBUH**



## Ground Covers (selected nodes)

| HSG-A (acres) | HSG-B (acres) | HSG-C (acres) | HSG-D (acres) | Other (acres) | Total (acres) | Ground Cover | Subcatchment Numbers |
|---|---|---|---|---|---|---|---|
| 0.000 | 0.000 | 0.000 | 0.000 | 0.161 | 0.161 | 1 lot | 57S |
| 0.000 | 0.000 | 0.000 | 0.000 | 1.034 | 1.034 | 1/2 Imp 6 lots | 44S, 53S |
| 0.000 | 0.000 | 11,396.550 | 0.000 | 0.000 | 11,396.550 | >75% Grass cover, Good | 44S, 52S, 57S, Basin 5 |
| 0.000 | 0.000 | 0.000 | 0.000 | 1.033 | 1.033 | IMP 6 LOTS | 44S |
| 3,263.500 | 0.000 | 0.000 | 0.000 | 0.000 | 3,263.500 | Paved parking | Basin 5 |
| 0.000 | 0.000 | 0.000 | 0.000 | 0.746 | 0.746 | ROAD | 47S |
| 0.000 | 0.000 | 0.000 | 0.000 | 1.926 | 1.926 | road | 44S, 53S, 57S |
| **3,263.500** | **0.000** | **11,396.550** | **0.000** | **4.900** | **14,664.949** | **TOTAL AREA** | |

## Pipe Listing (selected nodes)

| Line# | Node Number | In-Invert (feet) | Out-Invert (feet) | Length (feet) | Slope (ft/ft) | n | Diam/Width (inches) | Height (inches) | Inside-Fill (inches) |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 1P | 546.23 | 546.00 | 120.0 | 0.0019 | 0.011 | 12.0 | 0.0 | 0.0 |

Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points x 2
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment 44S: onsite basin ultimate** Runoff Area=17.041 ac 12.87% Impervious Runoff Depth=0.22"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=74/98 Runoff=0.36 cfs 0.305 af

**Subcatchment 47S: Cottonwood Creek** Runoff Area=32,500 sf 100.00% Impervious Runoff Depth=1.08"
Flow Length=300' Slope=0.0200 '/' Tc=47.2 min CN=0/98 Runoff=0.13 cfs 0.067 af

**Subcatchment 52S: Basin 6 Pre Dev-Onsite** Runoff Area=33.780 ac 0.00% Impervious Runoff Depth=0.09"
Flow Length=300' Slope=0.0200 '/' Tc=47.2 min CN=74/0 Runoff=0.25 cfs 0.244 af

**Subcatchment 53S: onsite basin ultimate** Runoff Area=45,420 sf 100.00% Impervious Runoff Depth=1.08"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=0/98 Runoff=0.17 cfs 0.094 af

**Subcatchment 57S: onsite basin ultimate** Runoff Area=695,626 sf 5.75% Impervious Runoff Depth=0.14"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=74/98 Runoff=0.15 cfs 0.192 af

**Subcatchment Basin 5: USGS** Runoff Area=14,596.370 ac 22.36% Impervious Runoff Depth=0.31"
Flow Length=300' Slope=0.0300 '/' Tc=94.7 min CN=74/98 Runoff=405.91 cfs 376.647 af

**Pond 1P: Existing Drywell & Perf Pipe** Peak Elev=542.67' Storage=561 cf Inflow=0.13 cfs 0.067 af
Discarded=0.05 cfs 0.067 af Primary=0.00 cfs 0.000 af Outflow=0.05 cfs 0.067 af

**Pond 45P: Overflow Pond for Cottonwood** Peak Elev=546.00' Storage=0 cf Inflow=0.00 cfs 0.000 af
Outflow=0.00 cfs 0.000 af

**Pond 55P: Roadside Ditch** Peak Elev=548.75' Storage=1,357 cf Inflow=0.36 cfs 0.305 af
Outflow=0.20 cfs 0.305 af

**Pond 56P: Roadside Ditch** Peak Elev=548.43' Storage=441 cf Inflow=0.17 cfs 0.094 af
Outflow=0.11 cfs 0.094 af

**Total Runoff Area = 14,664.949 ac Runoff Volume = 377.550 af Average Runoff Depth = 0.31"**
**77.71% Pervious = 11,396.550 ac 22.29% Impervious = 3,268.400 ac**

## Summary for Subcatchment 44S: onsite basin ultimate east

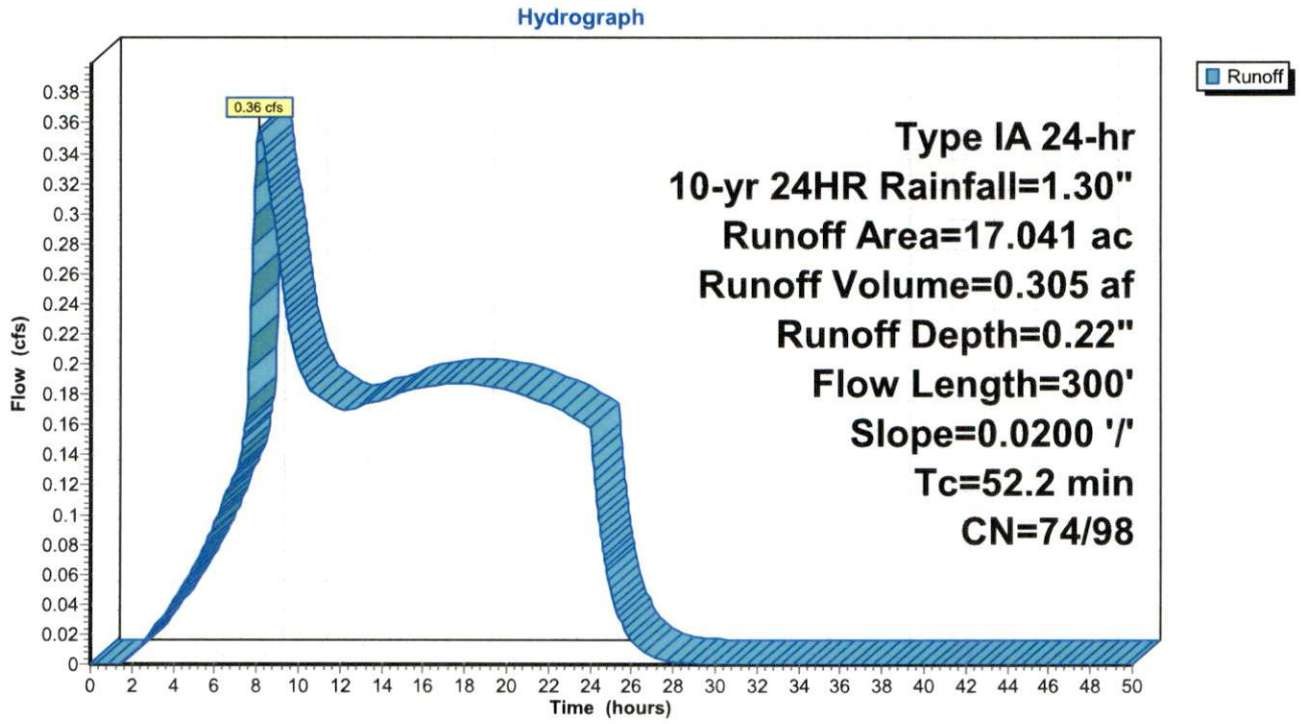
Runoff = 0.36 cfs @ 8.12 hrs, Volume= 0.305 af, Depth= 0.22"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| | Area (ac) | CN | Description |
|---|---|---|---|
| | 14.848 | 74 | >75% Grass cover, Good, HSG C |
| * | 1.033 | 98 | IMP 6 LOTS |
| * | 0.517 | 98 | 1/2 Imp 6 lots |
| * | 0.643 | 98 | road |
| | 17.041 | 77 | Weighted Average |
| | 14.848 | 74 | 87.13% Pervious Area |
| | 2.193 | 98 | 12.87% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 44S: onsite basin ultimate east



## Summary for Subcatchment 47S: Cottonwood Creek Blvd

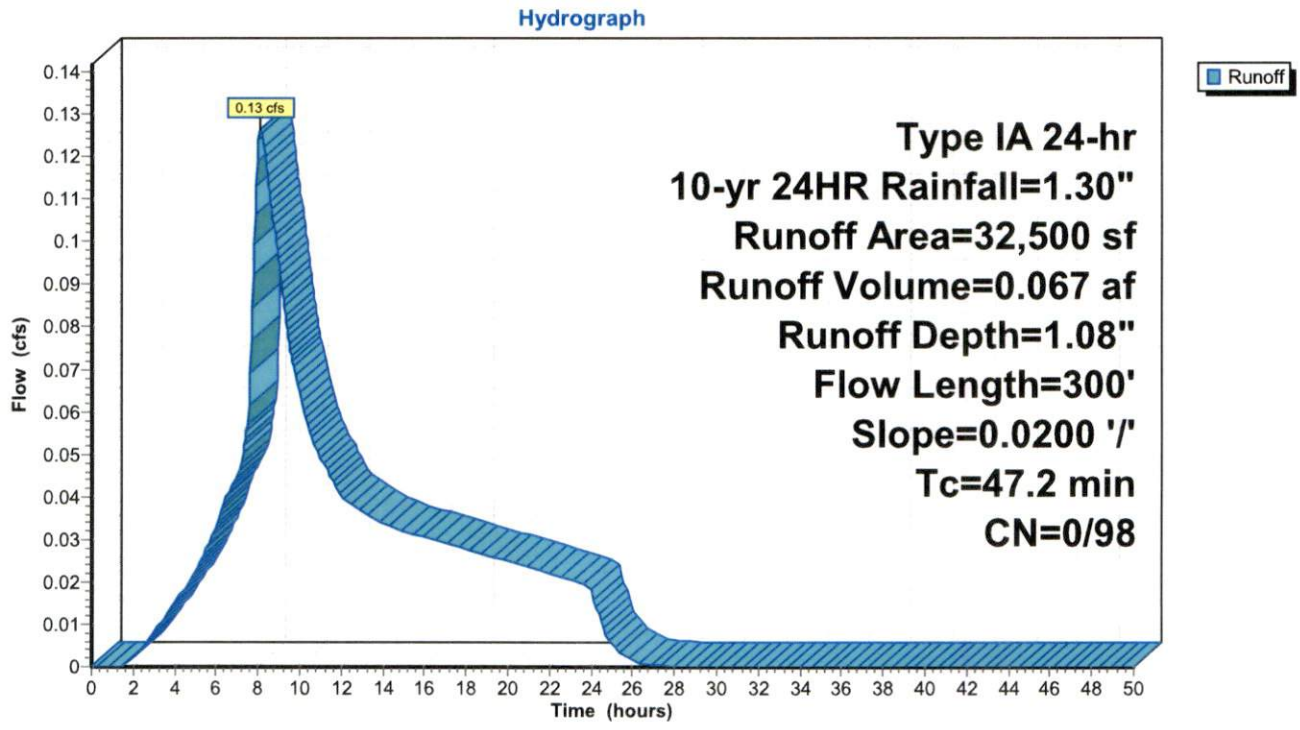
Runoff = 0.13 cfs @ 8.09 hrs, Volume= 0.067 af, Depth= 1.08"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| | Area (sf) | CN | Description |
|---|---|---|---|
| * | 32,500 | 98 | ROAD |
| | 32,500 | 98 | 100.00% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |

## Subcatchment 47S: Cottonwood Creek Blvd



## Summary for Subcatchment 52S: Basin 6 Pre Dev-Onsite

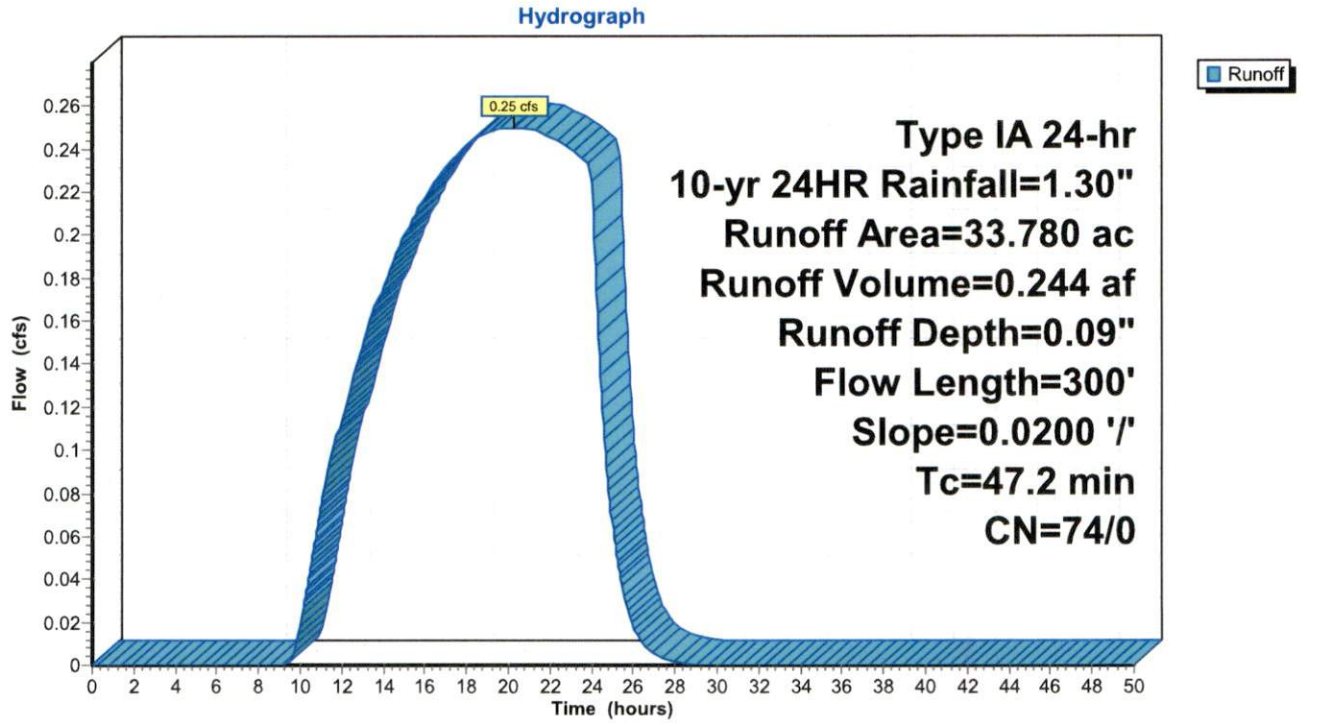
Runoff = 0.25 cfs @ 20.32 hrs, Volume= 0.244 af, Depth= 0.09"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| Area (ac) | CN | Description |
|---|---|---|
| 33.780 | 74 | >75% Grass cover, Good, HSG C |
| 33.780 | 74 | 100.00% Pervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |

### Subcatchment 52S: Basin 6 Pre Dev-Onsite



## Summary for Subcatchment 53S: onsite basin ultimate center

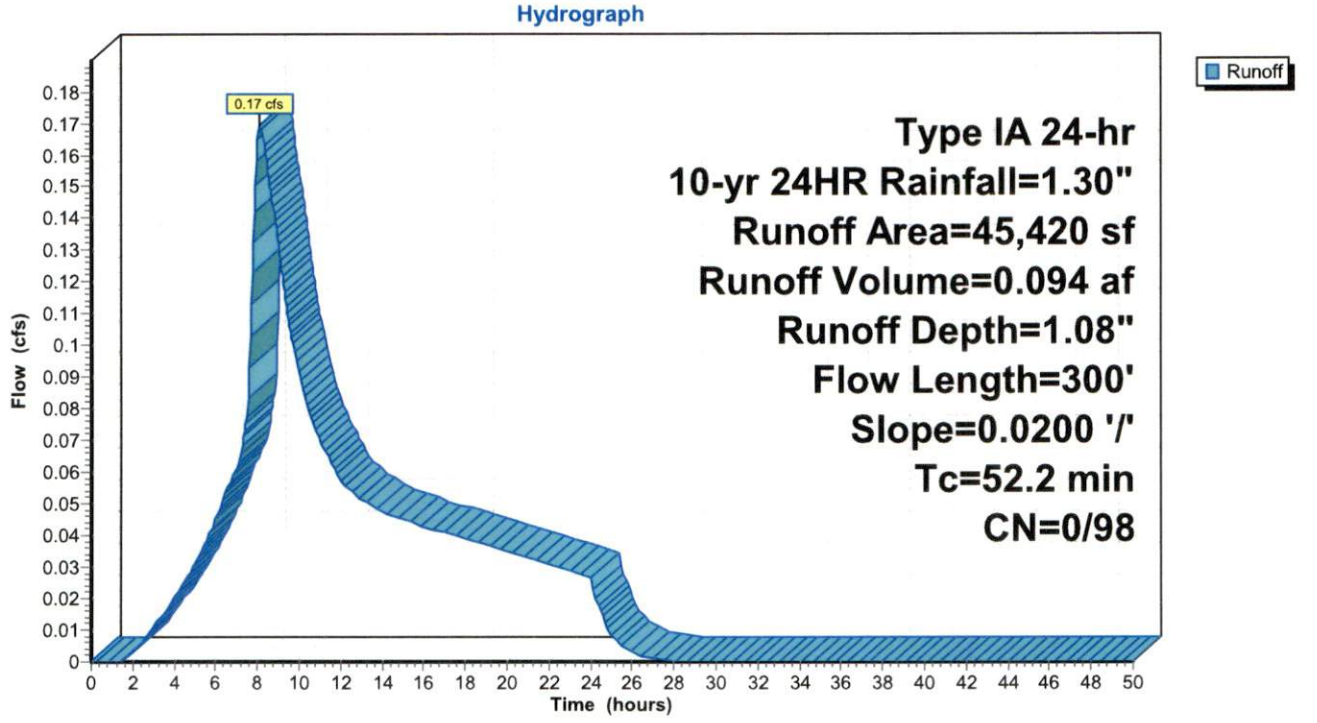
Runoff = 0.17 cfs @ 8.12 hrs, Volume= 0.094 af, Depth= 1.08"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| | Area (sf) | CN | Description |
|---|---|---|---|
| * | 22,500 | 98 | 1/2 Imp 6 lots |
| * | 22,920 | 98 | road |
| | 45,420 | 98 | Weighted Average |
| | 45,420 | 98 | 100.00% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 53S: onsite basin ultimate center



## Summary for Subcatchment 57S: onsite basin ultimate west

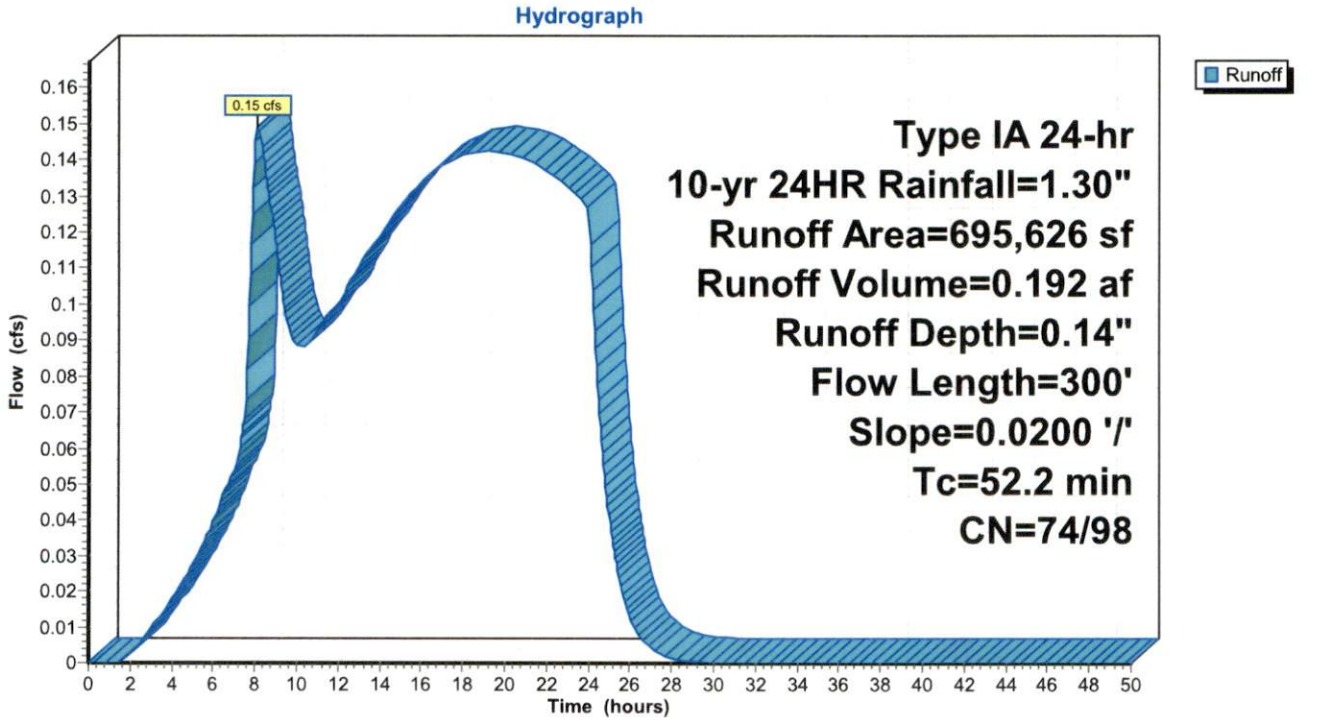
Runoff = 0.15 cfs @ 8.12 hrs, Volume= 0.192 af, Depth= 0.14"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| | Area (sf) | CN | Description |
|---|---|---|---|
| | 655,650 | 74 | >75% Grass cover, Good, HSG C |
| * | 7,000 | 98 | 1 lot |
| * | 32,976 | 98 | road |
| | 695,626 | 75 | Weighted Average |
| | 655,650 | 74 | 94.25% Pervious Area |
| | 39,976 | 98 | 5.75% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 57S: onsite basin ultimate west



## Summary for Subcatchment Basin 5: USGS drainage basin total

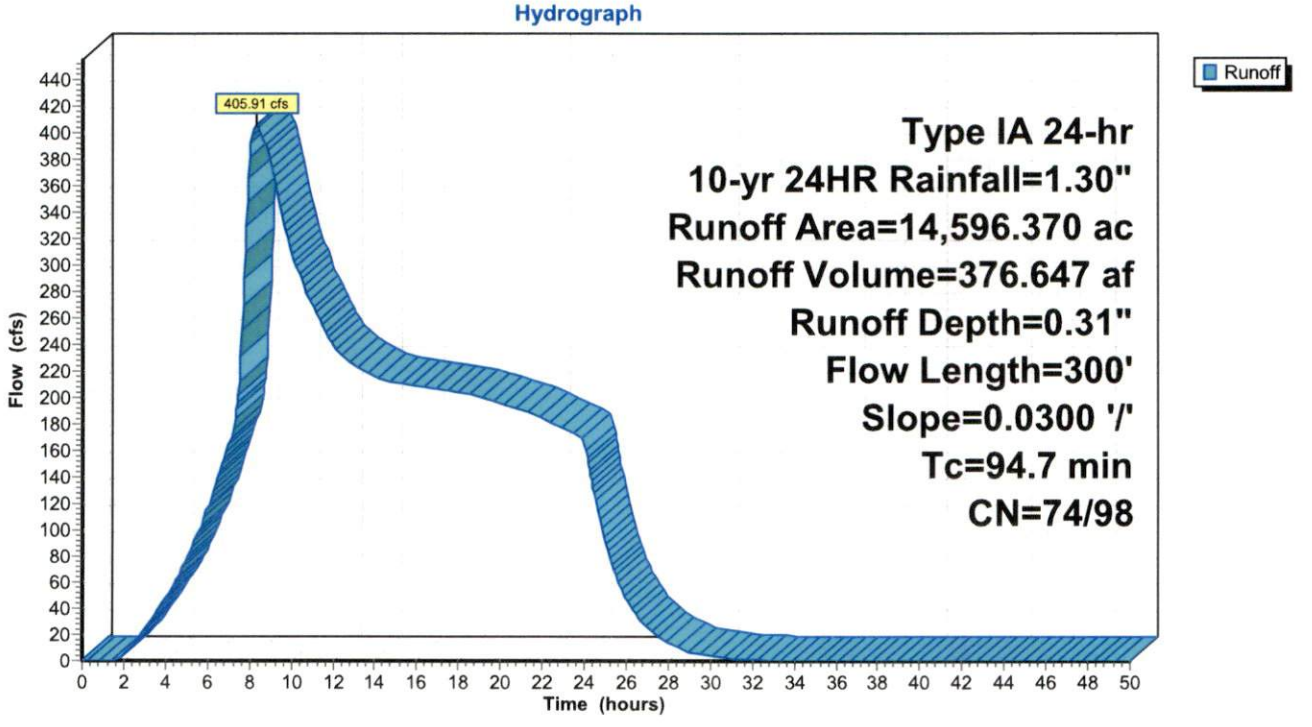
Runoff = 405.91 cfs @ 8.30 hrs, Volume= 376.647 af, Depth= 0.31"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-yr 24HR Rainfall=1.30"

| Area (ac) | CN | Description |
|---|---|---|
| 11,332.870 | 74 | >75% Grass cover, Good, HSG C |
| 3,263.500 | 98 | Paved parking, HSG A |
| 14,596.370 | 79 | Weighted Average |
| 11,332.870 | 74 | 77.64% Pervious Area |
| 3,263.500 | 98 | 22.36% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 89.7 | 300 | 0.0300 | 0.06 | | **Sheet Flow, GRASS** Grass: Bermuda n= 0.410 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 94.7 | 300 | Total | | | |

## Subcatchment Basin 5: USGS drainage basin total



## Summary for Pond 1P: Existing Drywell & Perf Pipe

Inflow Area = 0.746 ac,100.00% Impervious, Inflow Depth = 1.08" for 10-yr 24HR event
Inflow = 0.13 cfs @ 8.09 hrs, Volume= 0.067 af
Outflow = 0.05 cfs @ 10.82 hrs, Volume= 0.067 af, Atten= 60%, Lag= 164.0 min
Discarded = 0.05 cfs @ 10.82 hrs, Volume= 0.067 af
Primary = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 542.67' @ 10.82 hrs Surf.Area= 534 sf Storage= 561 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 108.9 min ( 851.2 - 742.3 )

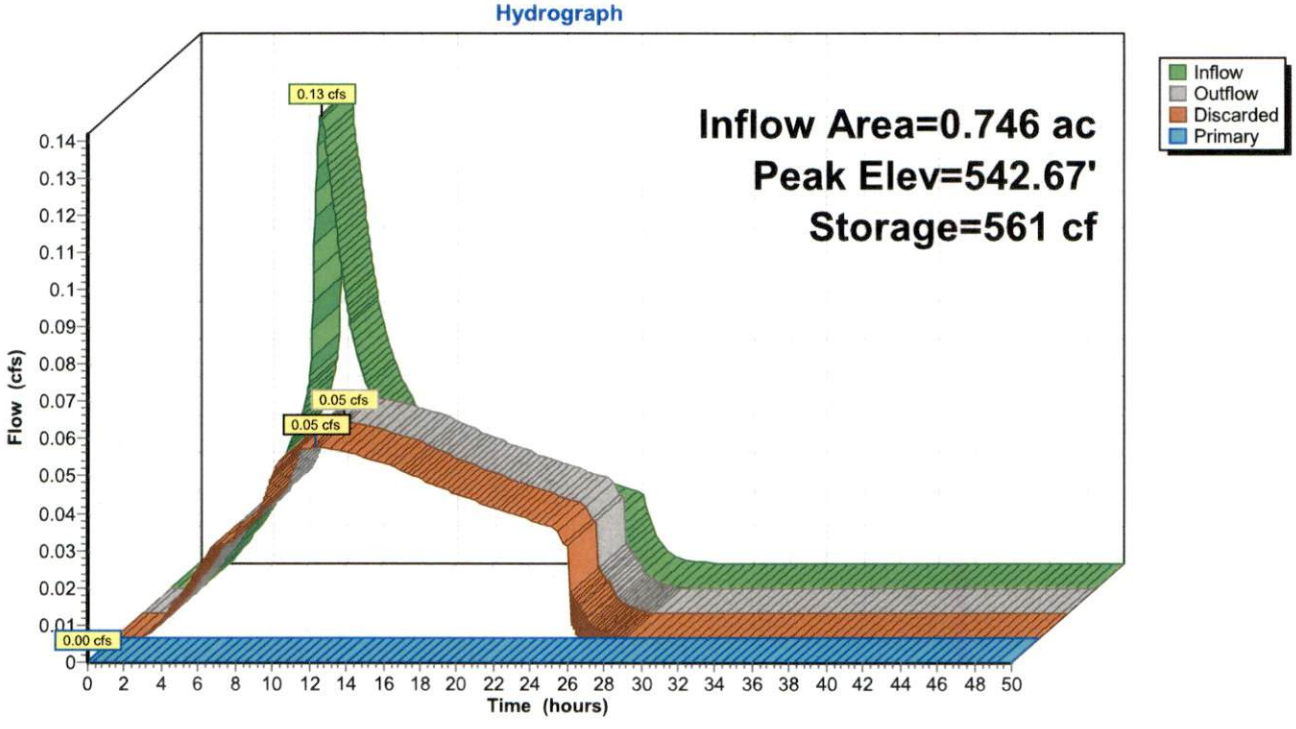
| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 539.70' | 1 cf | **9.00'D x 9.00'H Drywell Rock**<br>573 cf Overall - 241 cf Embedded = 332 cf x 0.3% Voids |
| #2 | 539.70' | 177 cf | **5.00'D x 9.00'H Vertical Cone/Cylinder** Inside #1<br>241 cf Overall - 5.0" Wall Thickness = 177 cf |
| #3 | 539.50' | 531 cf | **10.00'W x 47.00'L x 4.00'H Perf Trench Storage**<br>1,880 cf Overall - 111 cf Embedded = 1,769 cf x 30.0% Voids |
| #4 | 542.00' | 111 cf | **12.0" D x 47.0'L Pipe Storage** x 3 Inside #3 |
| | | 819 cf | Total Available Storage |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 539.50' | **2.250 in/hr Exfiltration over Wetted area** |
| #2 | Primary | 546.23' | **12.0" Round Culvert**<br>L= 120.0' RCP, square edge headwall, Ke= 0.500<br>Inlet / Outlet Invert= 546.23' / 546.00' S= 0.0019 '/' Cc= 0.900<br>n= 0.011, Flow Area= 0.79 sf |

**Discarded OutFlow** Max=0.05 cfs @ 10.82 hrs HW=542.67' (Free Discharge)
↑—**1=Exfiltration** (Exfiltration Controls 0.05 cfs)

**Primary OutFlow** Max=0.00 cfs @ 0.00 hrs HW=539.50' TW=546.00' (Dynamic Tailwater)
↑—**2=Culvert** ( Controls 0.00 cfs)

## Pond 1P: Existing Drywell & Perf Pipe



## Summary for Pond 45P: Overflow Pond for Cottonwood Creek Blvd

Inflow Area = 0.746 ac,100.00% Impervious, Inflow Depth = 0.00" for 10-yr 24HR event
Inflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af
Outflow = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af, Atten= 0%, Lag= 0.0 min
Discarded = 0.00 cfs @ 0.00 hrs, Volume= 0.000 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 546.00' @ 0.00 hrs Surf.Area= 1,600 sf Storage= 0 cf

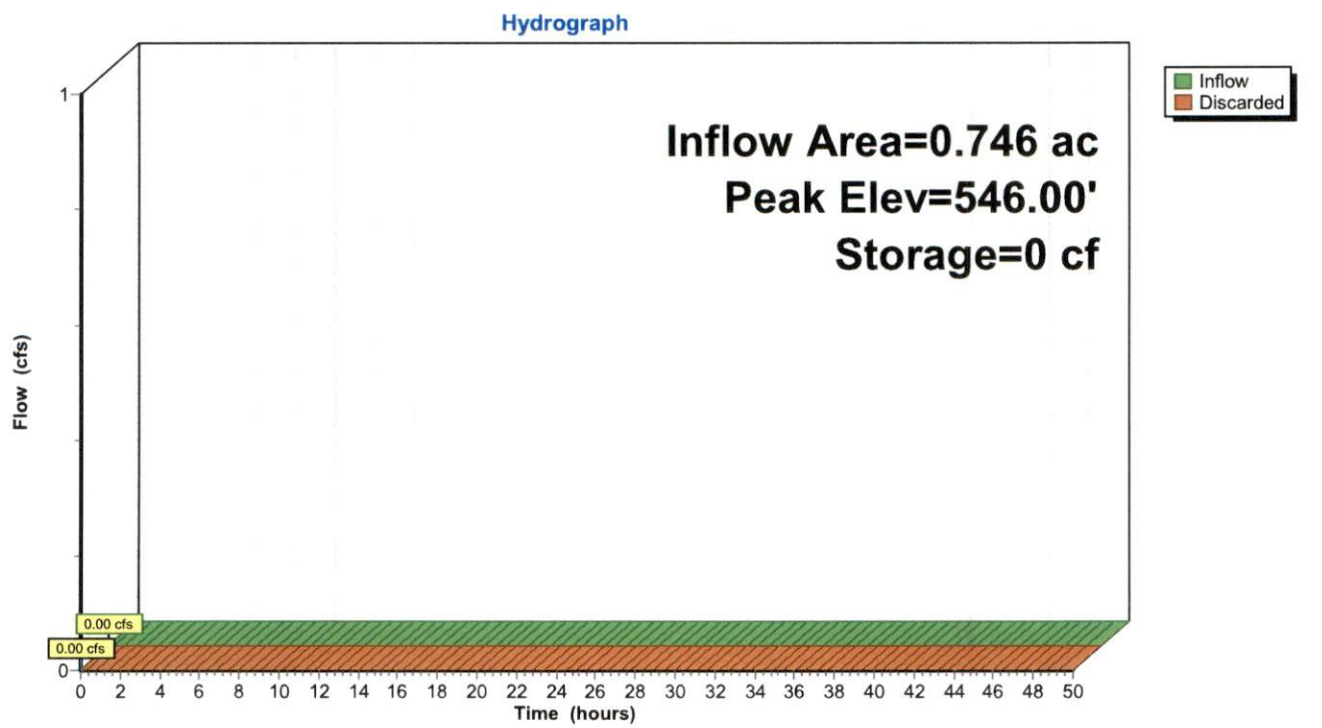
Plug-Flow detention time= (not calculated: initial storage excedes outflow)
Center-of-Mass det. time= (not calculated: no inflow)

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 546.00' | 4,651 cf | **40.00'W x 40.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 546.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.00 cfs @ 0.00 hrs HW=546.00' (Free Discharge)
**1=Exfiltration** (Passes 0.00 cfs of 0.08 cfs potential flow)

## Pond 45P: Overflow Pond for Cottonwood Creek Blvd



## Summary for Pond 55P: Roadside Ditch

Inflow Area = 17.041 ac, 12.87% Impervious, Inflow Depth = 0.22" for 10-yr 24HR event
Inflow = 0.36 cfs @ 8.12 hrs, Volume= 0.305 af
Outflow = 0.20 cfs @ 10.13 hrs, Volume= 0.305 af, Atten= 45%, Lag= 120.7 min
Discarded = 0.20 cfs @ 10.13 hrs, Volume= 0.305 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 548.75' @ 10.13 hrs Surf.Area= 3,634 sf Storage= 1,357 cf

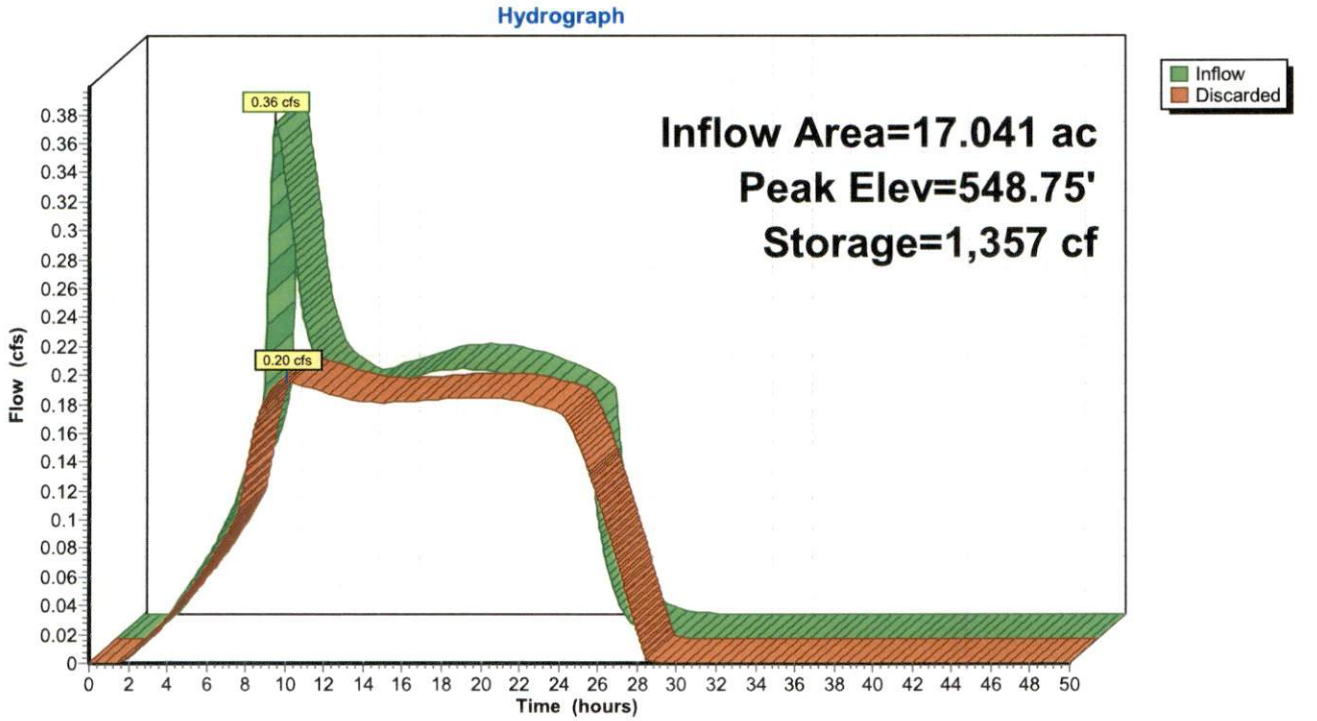
Plug-Flow detention time= 99.7 min calculated for 0.305 af (100% of inflow)
Center-of-Mass det. time= 99.6 min ( 976.9 - 877.3 )

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 548.00' | 9,771 cf | **600.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 548.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.20 cfs @ 10.13 hrs HW=548.75' (Free Discharge)
**1=Exfiltration** (Exfiltration Controls 0.20 cfs)

### Pond 55P: Roadside Ditch



## Summary for Pond 56P: Roadside Ditch

Inflow Area = 1.043 ac,100.00% Impervious, Inflow Depth = 1.08" for 10-yr 24HR event
Inflow = 0.17 cfs @ 8.12 hrs, Volume= 0.094 af
Outflow = 0.11 cfs @ 9.44 hrs, Volume= 0.094 af, Atten= 35%, Lag= 79.1 min
Discarded = 0.11 cfs @ 9.44 hrs, Volume= 0.094 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 548.43' @ 9.44 hrs Surf.Area= 2,064 sf Storage= 441 cf

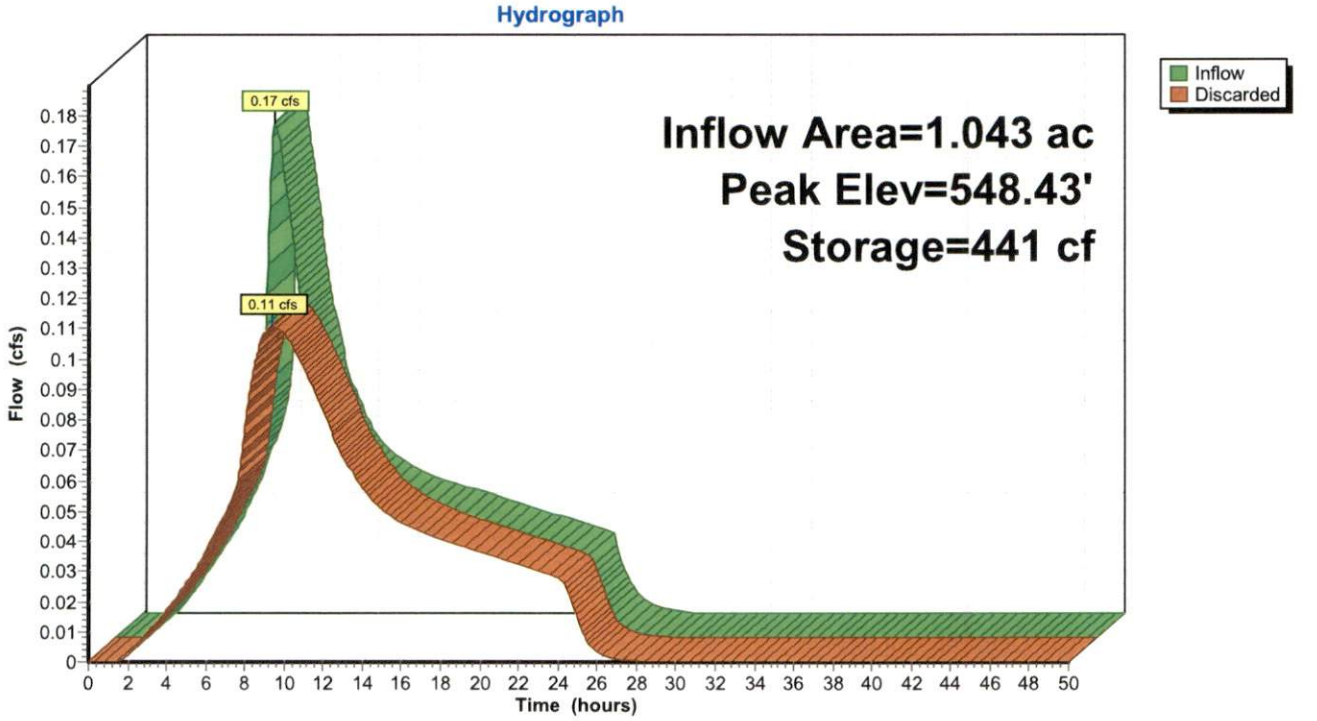
Plug-Flow detention time= 38.8 min calculated for 0.094 af (100% of inflow)
Center-of-Mass det. time= 38.8 min ( 786.1 - 747.3 )

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 548.00' | 9,771 cf | **600.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 548.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.11 cfs @ 9.44 hrs HW=548.43' (Free Discharge)
**1=Exfiltration** (Exfiltration Controls 0.11 cfs)

### Pond 56P: Roadside Ditch



Time span=0.00-50.00 hrs, dt=0.05 hrs, 1001 points x 2
Runoff by SBUH method, Split Pervious/Imperv.
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment 44S: onsite basin ultimate** Runoff Area=17.041 ac 12.87% Impervious Runoff Depth=0.34"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=74/98 Runoff=0.45 cfs 0.478 af

**Subcatchment 47S: Cottonwood Creek** Runoff Area=32,500 sf 100.00% Impervious Runoff Depth=1.38"
Flow Length=300' Slope=0.0200 '/' Tc=47.2 min CN=0/98 Runoff=0.16 cfs 0.086 af

**Subcatchment 52S: Basin 6 Pre Dev-Onsite** Runoff Area=33.780 ac 0.00% Impervious Runoff Depth=0.18"
Flow Length=300' Slope=0.0200 '/' Tc=47.2 min CN=74/0 Runoff=0.45 cfs 0.514 af

**Subcatchment 53S: onsite basin ultimate** Runoff Area=45,420 sf 100.00% Impervious Runoff Depth=1.38"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=0/98 Runoff=0.22 cfs 0.120 af

**Subcatchment 57S: onsite basin ultimate** Runoff Area=695,626 sf 5.75% Impervious Runoff Depth=0.25"
Flow Length=300' Slope=0.0200 '/' Tc=52.2 min CN=74/98 Runoff=0.24 cfs 0.334 af

**Subcatchment Basin 5: USGS** Runoff Area=14,596.370 ac 22.36% Impervious Runoff Depth=0.45"
Flow Length=300' Slope=0.0300 '/' Tc=94.7 min CN=74/98 Runoff=521.36 cfs 547.345 af

**Pond 1P: Existing Drywell & Perf Pipe** Peak Elev=546.34' Storage=773 cf Inflow=0.16 cfs 0.086 af
Discarded=0.06 cfs 0.085 af Primary=0.03 cfs 0.001 af Outflow=0.09 cfs 0.086 af

**Pond 45P: Overflow Pond for Cottonwood** Peak Elev=546.00' Storage=0 cf Inflow=0.03 cfs 0.001 af
Outflow=0.03 cfs 0.001 af

**Pond 55P: Roadside Ditch** Peak Elev=549.12' Storage=3,020 cf Inflow=0.45 cfs 0.478 af
Outflow=0.29 cfs 0.478 af

**Pond 56P: Roadside Ditch** Peak Elev=548.51' Storage=638 cf Inflow=0.22 cfs 0.120 af
Outflow=0.13 cfs 0.120 af

**Total Runoff Area = 14,664.949 ac Runoff Volume = 548.877 af Average Runoff Depth = 0.45"**
**77.71% Pervious = 11,396.550 ac 22.29% Impervious = 3,268.400 ac**

## Summary for Subcatchment 44S: onsite basin ultimate east

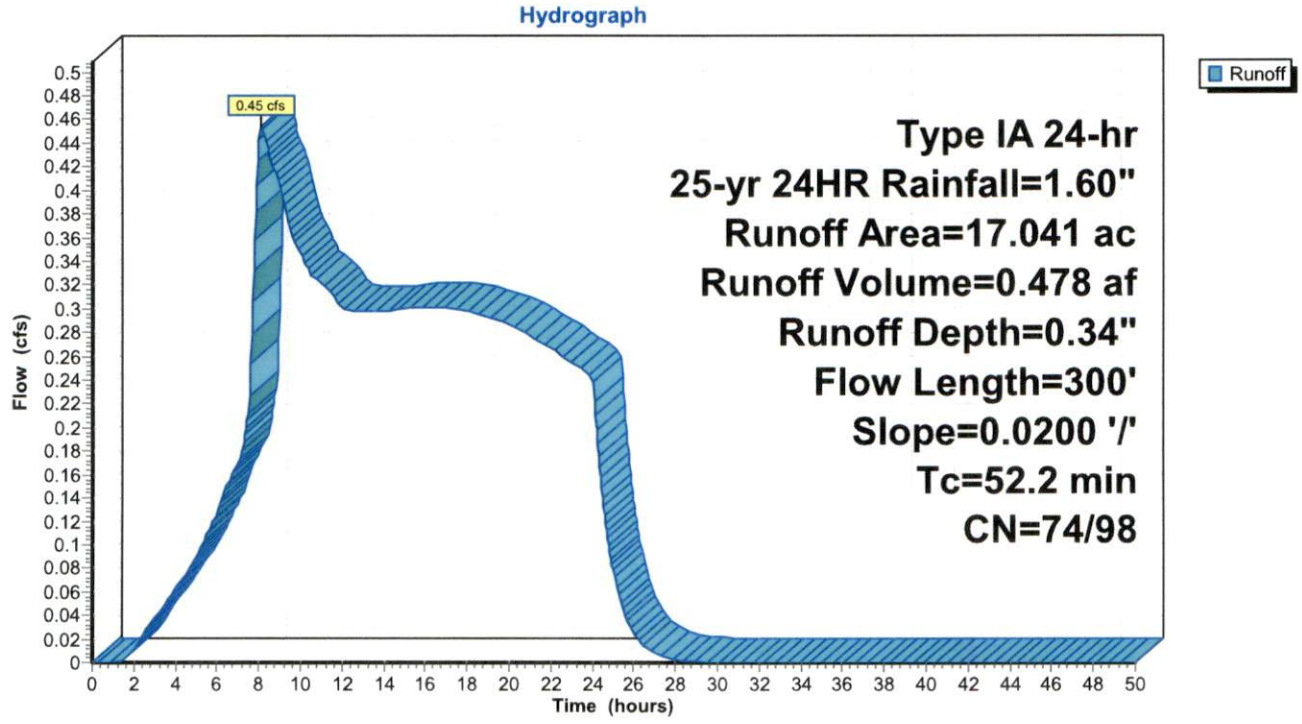
Runoff = 0.45 cfs @ 8.12 hrs, Volume= 0.478 af, Depth= 0.34"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| | Area (ac) | CN | Description |
|---|---|---|---|
| | 14.848 | 74 | >75% Grass cover, Good, HSG C |
| * | 1.033 | 98 | IMP 6 LOTS |
| * | 0.517 | 98 | 1/2 Imp 6 lots |
| * | 0.643 | 98 | road |
| | 17.041 | 77 | Weighted Average |
| | 14.848 | 74 | 87.13% Pervious Area |
| | 2.193 | 98 | 12.87% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 44S: onsite basin ultimate east



## Summary for Subcatchment 47S: Cottonwood Creek Blvd

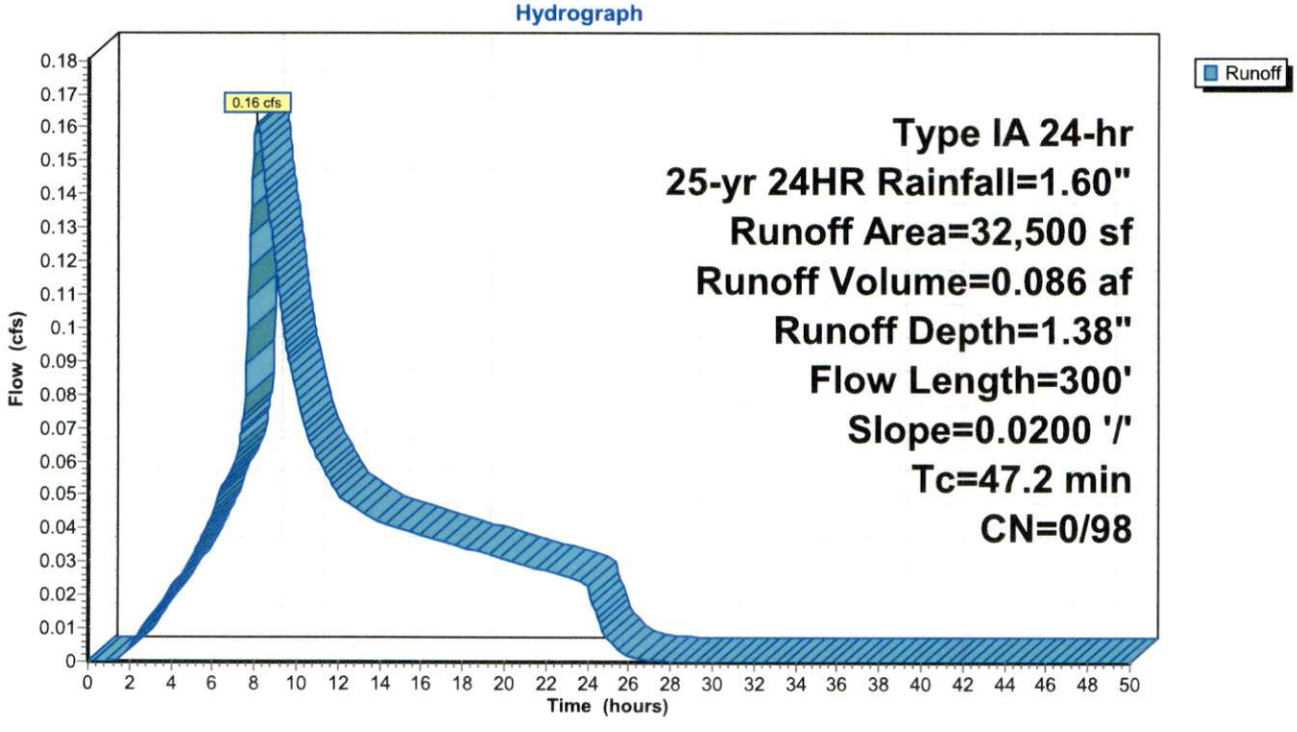
Runoff = 0.16 cfs @ 8.08 hrs, Volume= 0.086 af, Depth= 1.38"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| | Area (sf) | CN | Description |
|---|---|---|---|
| * | 32,500 | 98 | ROAD |
| | 32,500 | 98 | 100.00% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |

## Subcatchment 47S: Cottonwood Creek Blvd



## Summary for Subcatchment 52S: Basin 6 Pre Dev-Onsite

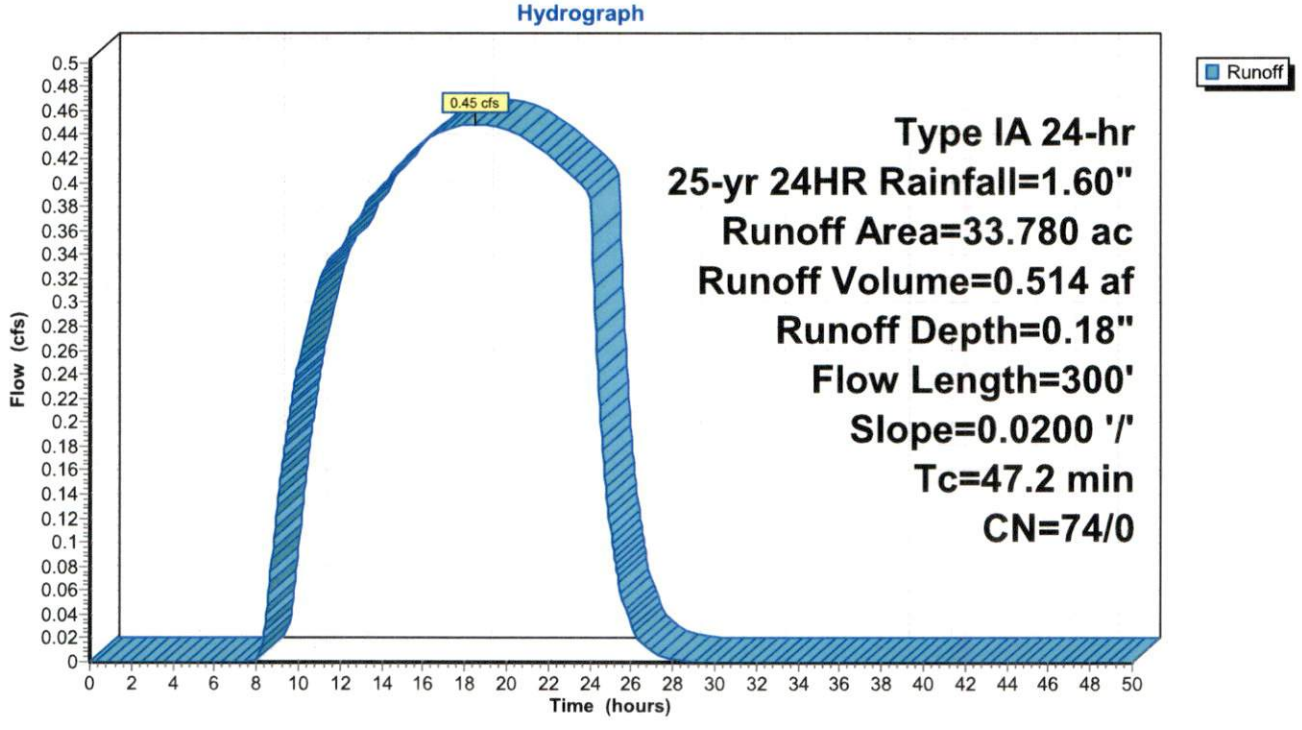
Runoff = 0.45 cfs @ 18.49 hrs, Volume= 0.514 af, Depth= 0.18"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| Area (ac) | CN | Description |
|---|---|---|
| 33.780 | 74 | >75% Grass cover, Good, HSG C |
| 33.780 | 74 | 100.00% Pervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |

## Subcatchment 52S: Basin 6 Pre Dev-Onsite



## Summary for Subcatchment 53S: onsite basin ultimate center

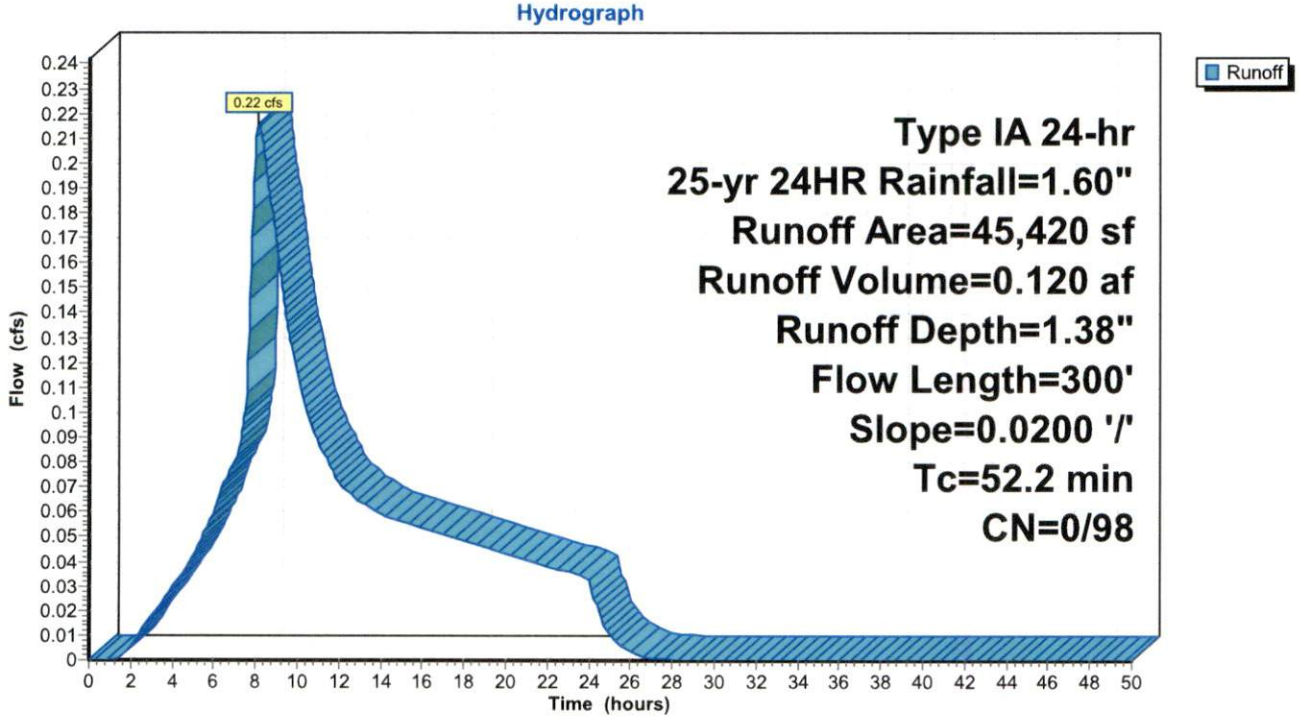
Runoff = 0.22 cfs @ 8.11 hrs, Volume= 0.120 af, Depth= 1.38"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| | Area (sf) | CN | Description |
|---|---|---|---|
| * | 22,500 | 98 | 1/2 Imp 6 lots |
| * | 22,920 | 98 | road |
| | 45,420 | 98 | Weighted Average |
| | 45,420 | 98 | 100.00% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 53S: onsite basin ultimate center



## Summary for Subcatchment 57S: onsite basin ultimate west

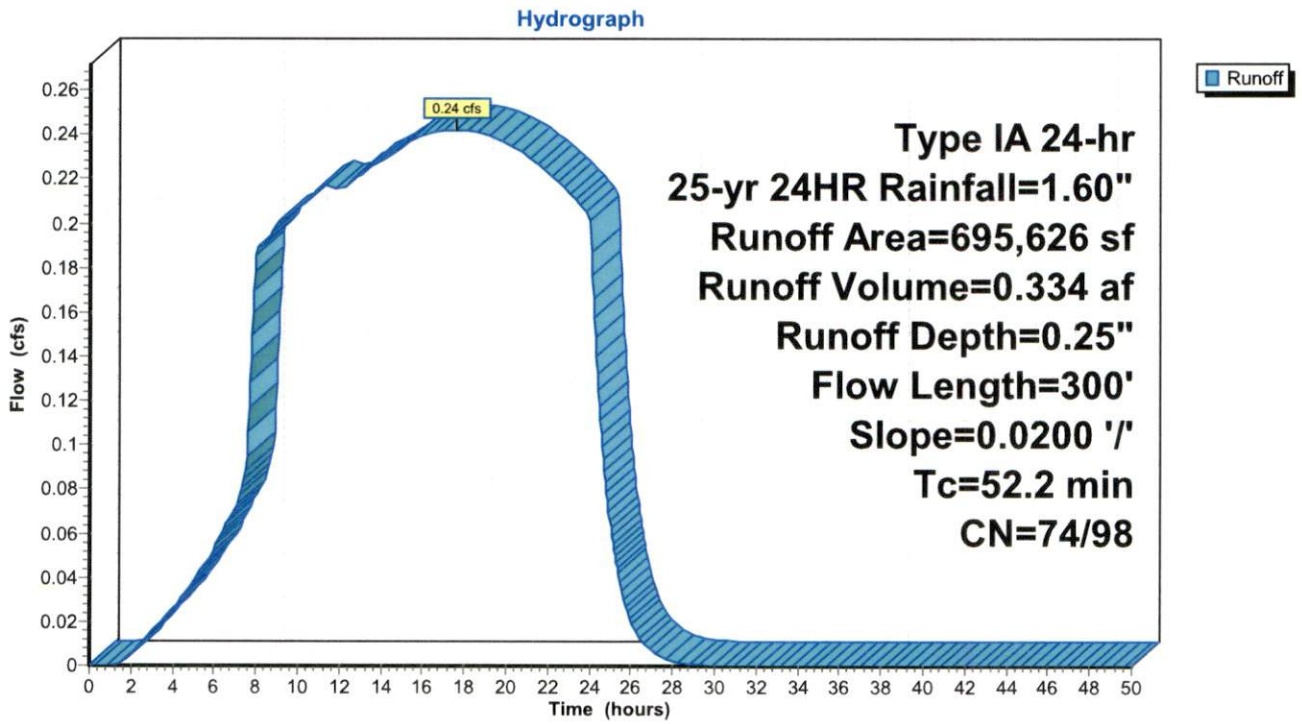
Runoff = 0.24 cfs @ 17.57 hrs, Volume= 0.334 af, Depth= 0.25"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| | Area (sf) | CN | Description |
|---|---|---|---|
| | 655,650 | 74 | >75% Grass cover, Good, HSG C |
| * | 7,000 | 98 | 1 lot |
| * | 32,976 | 98 | road |
| | 695,626 | 75 | Weighted Average |
| | 655,650 | 74 | 94.25% Pervious Area |
| | 39,976 | 98 | 5.75% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 47.2 | 300 | 0.0200 | 0.11 | | **Sheet Flow, GRASS** Grass: Short n= 0.150 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 52.2 | 300 | Total | | | |

## Subcatchment 57S: onsite basin ultimate west



## Summary for Subcatchment Basin 5: USGS drainage basin total

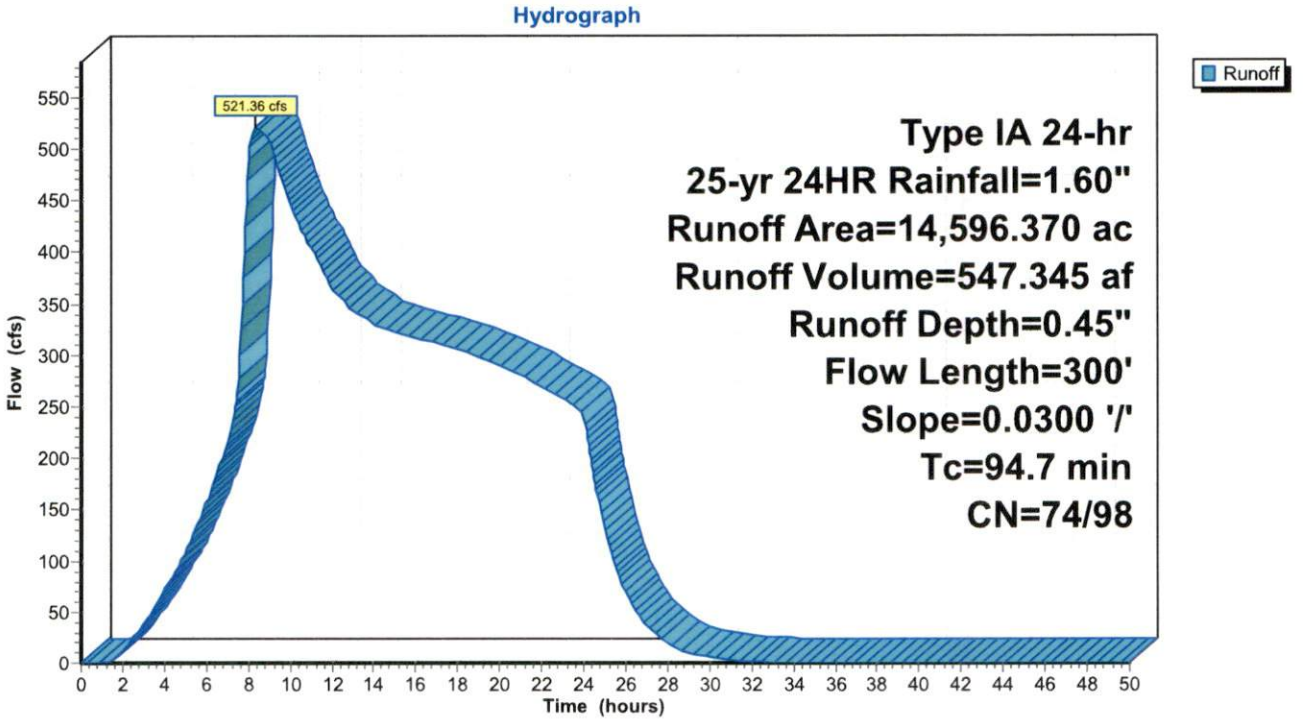
Runoff = 521.36 cfs @ 8.35 hrs, Volume= 547.345 af, Depth= 0.45"

Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-50.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-yr 24HR Rainfall=1.60"

| Area (ac) | CN | Description |
|---|---|---|
| 11,332.870 | 74 | >75% Grass cover, Good, HSG C |
| 3,263.500 | 98 | Paved parking, HSG A |
| 14,596.370 | 79 | Weighted Average |
| 11,332.870 | 74 | 77.64% Pervious Area |
| 3,263.500 | 98 | 22.36% Impervious Area |

| Tc (min) | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
|---|---|---|---|---|---|
| 89.7 | 300 | 0.0300 | 0.06 | | **Sheet Flow, GRASS** Grass: Bermuda n= 0.410 P2= 0.80" |
| 5.0 | | | | | **Direct Entry, pavement** |
| 94.7 | 300 | Total | | | |

## Subcatchment Basin 5: USGS drainage basin total



## Summary for Pond 1P: Existing Drywell & Perf Pipe

Inflow Area = 0.746 ac,100.00% Impervious, Inflow Depth = 1.38" for 25-yr 24HR event
Inflow = 0.16 cfs @ 8.08 hrs, Volume= 0.086 af
Outflow = 0.09 cfs @ 9.81 hrs, Volume= 0.086 af, Atten= 44%, Lag= 103.4 min
Discarded = 0.06 cfs @ 9.81 hrs, Volume= 0.085 af
Primary = 0.03 cfs @ 9.81 hrs, Volume= 0.001 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 546.34' @ 9.81 hrs Surf.Area= 534 sf Storage= 773 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 144.2 min ( 877.0 - 732.8 )

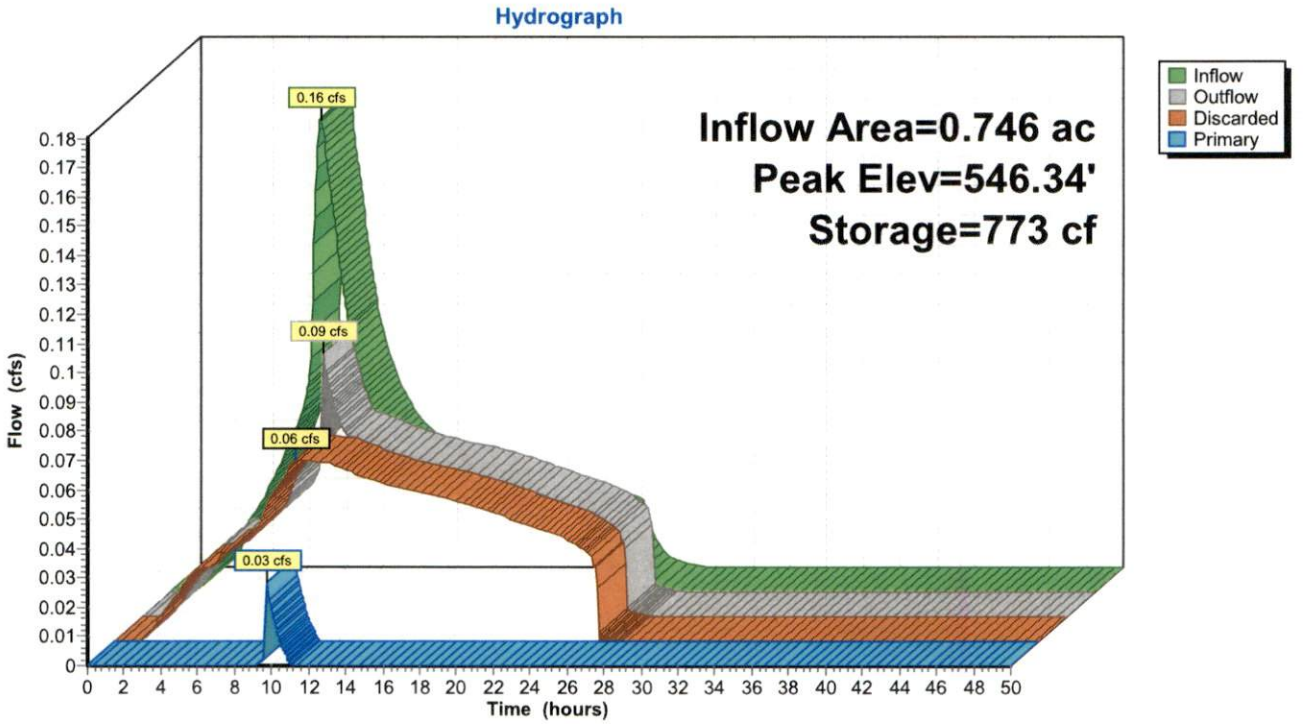
| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 539.70' | 1 cf | **9.00'D x 9.00'H Drywell Rock**<br>573 cf Overall - 241 cf Embedded = 332 cf x 0.3% Voids |
| #2 | 539.70' | 177 cf | **5.00'D x 9.00'H Vertical Cone/Cylinder** Inside #1<br>241 cf Overall - 5.0" Wall Thickness = 177 cf |
| #3 | 539.50' | 531 cf | **10.00'W x 47.00'L x 4.00'H Perf Trench Storage**<br>1,880 cf Overall - 111 cf Embedded = 1,769 cf x 30.0% Voids |
| #4 | 542.00' | 111 cf | **12.0" D x 47.0'L Pipe Storage** x 3 Inside #3 |
| | | 819 cf | Total Available Storage |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 539.50' | **2.250 in/hr Exfiltration over Wetted area** |
| #2 | Primary | 546.23' | **12.0" Round Culvert**<br>L= 120.0' RCP, square edge headwall, Ke= 0.500<br>Inlet / Outlet Invert= 546.23' / 546.00' S= 0.0019 '/' Cc= 0.900<br>n= 0.011, Flow Area= 0.79 sf |

**Discarded OutFlow** Max=0.06 cfs @ 9.81 hrs HW=546.34' (Free Discharge)
↑—**1=Exfiltration** (Exfiltration Controls 0.06 cfs)

**Primary OutFlow** Max=0.03 cfs @ 9.81 hrs HW=546.34' TW=546.00' (Dynamic Tailwater)
↑—**2=Culvert** (Barrel Controls 0.03 cfs @ 0.86 fps)

## Pond 1P: Existing Drywell & Perf Pipe



## Summary for Pond 45P: Overflow Pond for Cottonwood Creek Blvd

Inflow Area = 0.746 ac,100.00% Impervious, Inflow Depth = 0.02" for 25-yr 24HR event
Inflow = 0.03 cfs @ 9.81 hrs, Volume= 0.001 af
Outflow = 0.03 cfs @ 9.81 hrs, Volume= 0.001 af, Atten= 0%, Lag= 0.0 min
Discarded = 0.03 cfs @ 9.81 hrs, Volume= 0.001 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 546.00' @ 0.00 hrs Surf.Area= 1,600 sf Storage= 0 cf

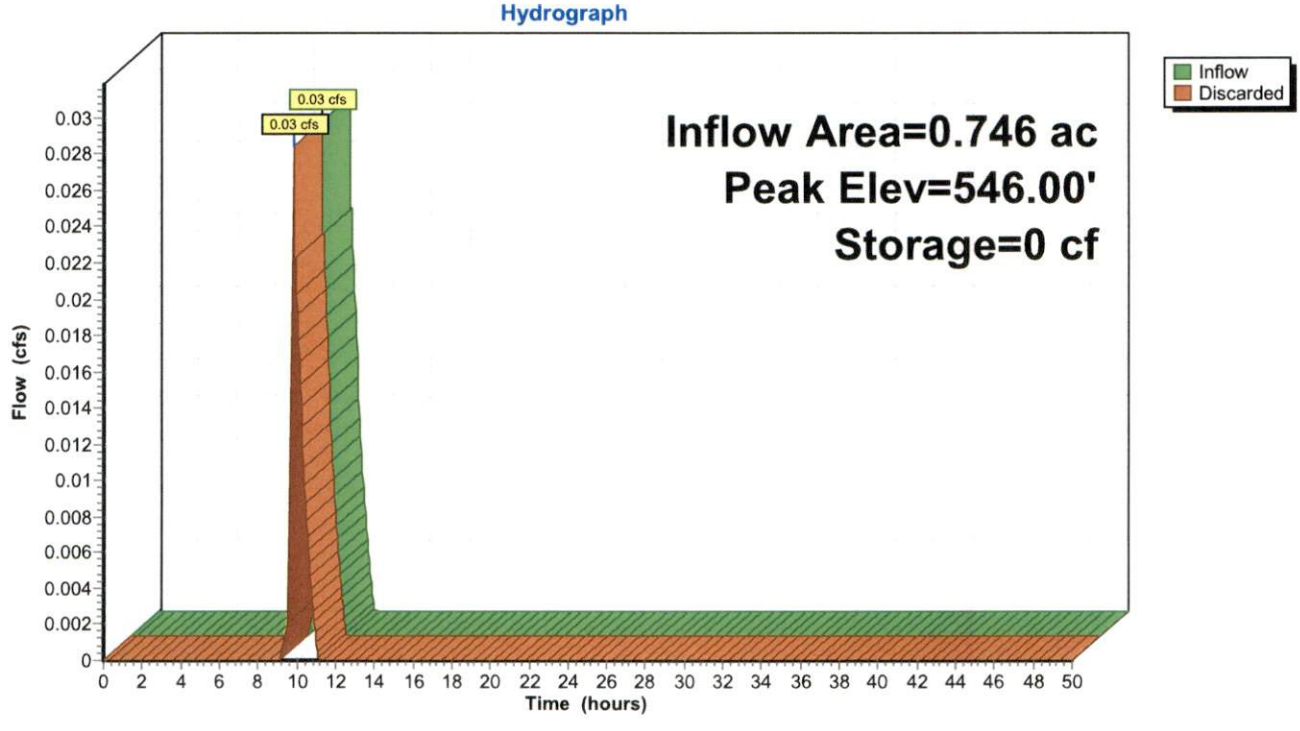
Plug-Flow detention time= (not calculated: outflow precedes inflow)
Center-of-Mass det. time= 0.0 min ( 608.4 - 608.4 )

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 546.00' | 4,651 cf | **40.00'W x 40.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 546.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.00 cfs @ 9.81 hrs HW=546.00' (Free Discharge)
**1=Exfiltration** (Passes 0.00 cfs of 0.08 cfs potential flow)

## Pond 45P: Overflow Pond for Cottonwood Creek Blvd



## Summary for Pond 55P: Roadside Ditch

Inflow Area = 17.041 ac, 12.87% Impervious, Inflow Depth = 0.34" for 25-yr 24HR event
Inflow = 0.45 cfs @ 8.12 hrs, Volume= 0.478 af
Outflow = 0.29 cfs @ 19.23 hrs, Volume= 0.478 af, Atten= 36%, Lag= 667.0 min
Discarded = 0.29 cfs @ 19.23 hrs, Volume= 0.478 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 549.12' @ 19.23 hrs Surf.Area= 5,438 sf Storage= 3,020 cf

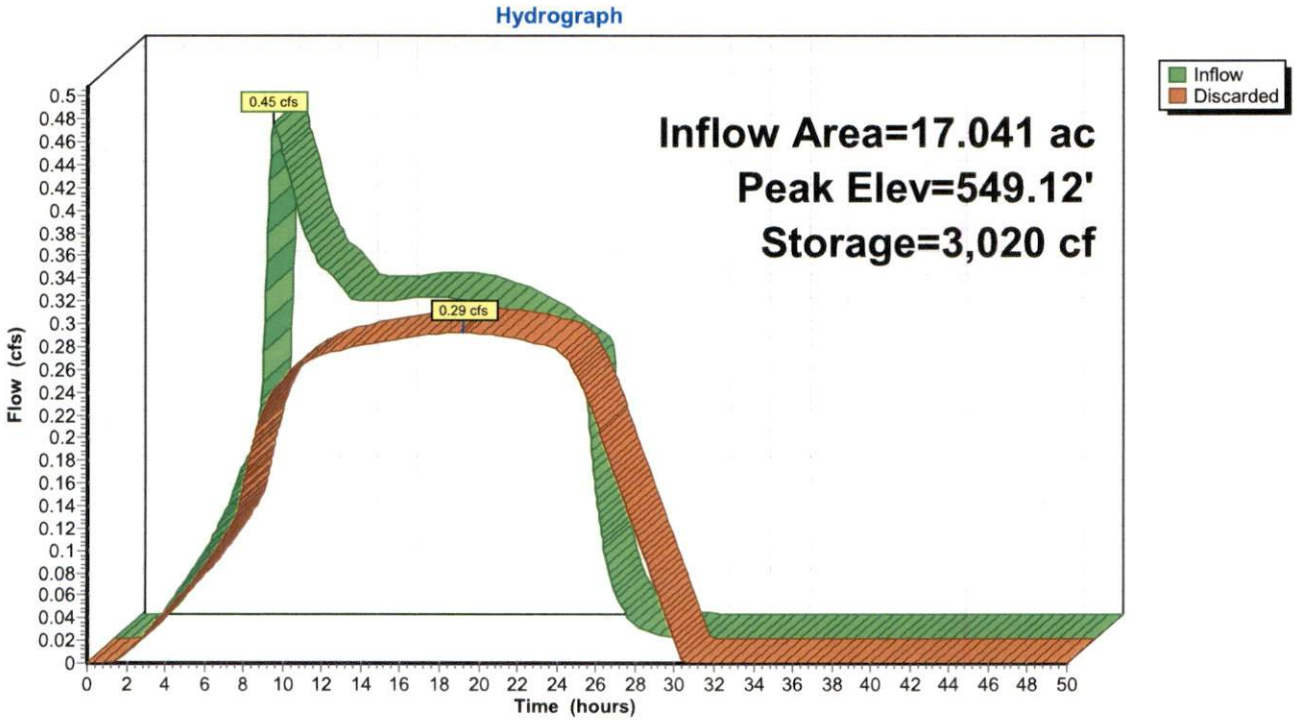
Plug-Flow detention time= 148.2 min calculated for 0.477 af (100% of inflow)
Center-of-Mass det. time= 148.2 min ( 1,033.1 - 884.9 )

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 548.00' | 9,771 cf | **600.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 548.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.29 cfs @ 19.23 hrs HW=549.12' (Free Discharge)
**1=Exfiltration** (Exfiltration Controls 0.29 cfs)

### Pond 55P: Roadside Ditch



## Summary for Pond 56P: Roadside Ditch

Inflow Area = 1.043 ac,100.00% Impervious, Inflow Depth = 1.38" for 25-yr 24HR event
Inflow = 0.22 cfs @ 8.11 hrs, Volume= 0.120 af
Outflow = 0.13 cfs @ 9.55 hrs, Volume= 0.120 af, Atten= 38%, Lag= 86.5 min
Discarded = 0.13 cfs @ 9.55 hrs, Volume= 0.120 af

Routing by Dyn-Stor-Ind method, Time Span= 0.00-50.00 hrs, dt= 0.05 hrs / 2
Peak Elev= 548.51' @ 9.55 hrs Surf.Area= 2,487 sf Storage= 638 cf

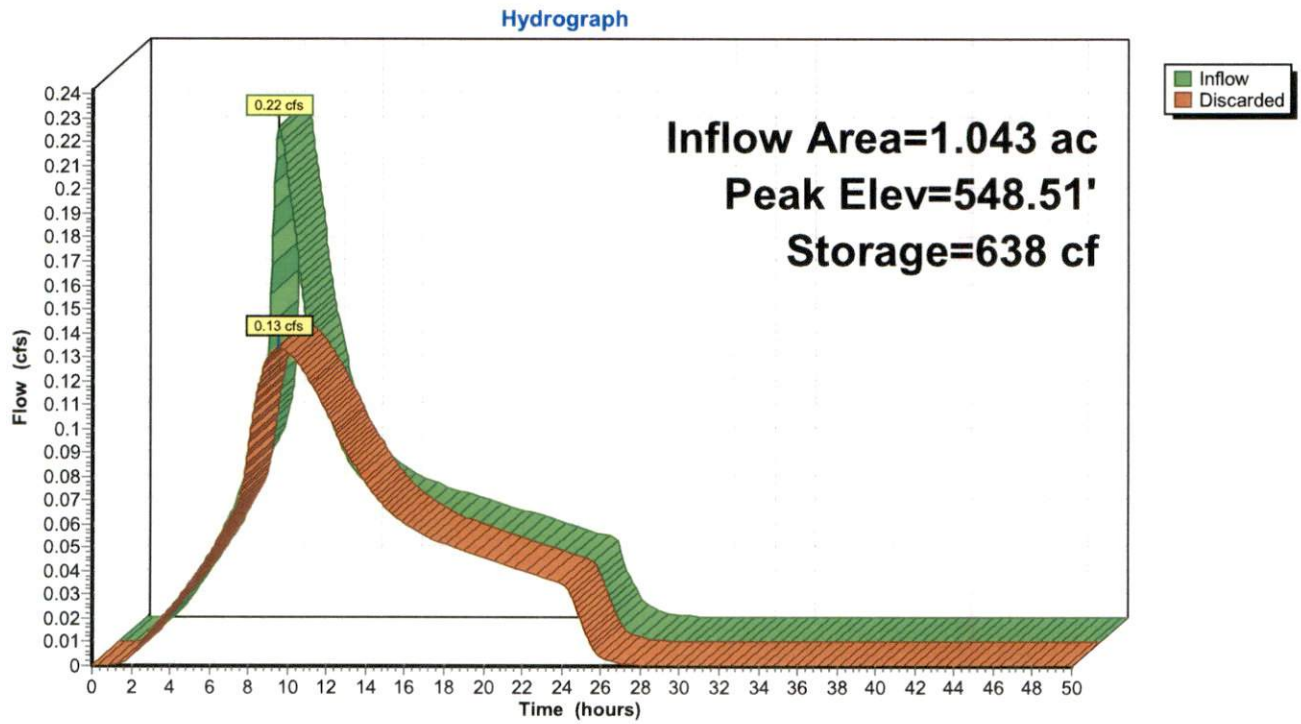
Plug-Flow detention time= 48.1 min calculated for 0.120 af (100% of inflow)
Center-of-Mass det. time= 48.0 min ( 785.8 - 737.8 )

| Volume | Invert | Avail.Storage | Storage Description |
|---|---|---|---|
| #1 | 548.00' | 9,771 cf | **600.00'L x 2.00'H Prismatoid Z=4.0** |

| Device | Routing | Invert | Outlet Devices |
|---|---|---|---|
| #1 | Discarded | 548.00' | **2.250 in/hr Exfiltration over Wetted area** |

**Discarded OutFlow** Max=0.13 cfs @ 9.55 hrs HW=548.51' (Free Discharge)
**1=Exfiltration** (Exfiltration Controls 0.13 cfs)

### Pond 56P: Roadside Ditch



# Culvert Report

Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. Tuesday, Mar 8 2022

## Circular Culvert

| | | |
|---|---|---|
| Invert Elev Dn (ft) | = | 544.00 |
| Pipe Length (ft) | = | 80.00 |
| Slope (%) | = | 0.05 |
| Invert Elev Up (ft) | = | 544.04 |
| Rise (in) | = | 72.0 |
| Shape | = | Circular |
| Span (in) | = | 72.0 |
| No. Barrels | = | 2 |
| n-Value | = | 0.024 |
| Culvert Type | = | Circular Corrugate Metal Pipe |
| Culvert Entrance | = | Mitered to slope (C) |
| Coeff. K,M,c,Y,k | = | 0.021, 1.33, 0.0463, 0.75, 0.7 |

**Embankment**

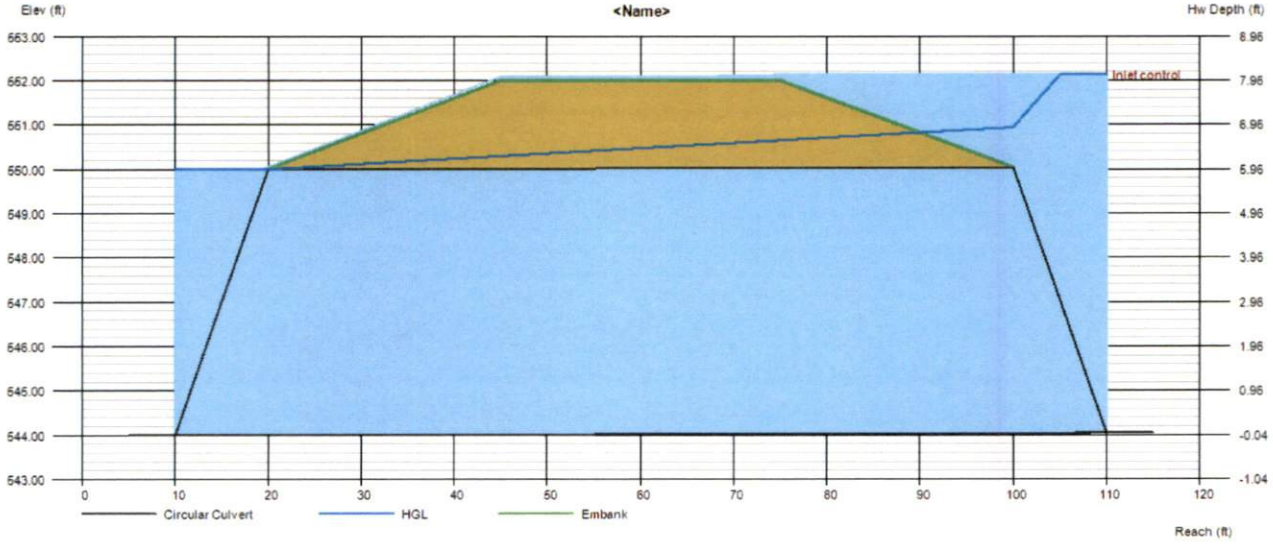
| | | |
|---|---|---|
| Top Elevation (ft) | = | 552.00 |
| Top Width (ft) | = | 30.00 |
| Crest Width (ft) | = | 200.00 |

**Calculations**

| | | |
|---|---|---|
| Qmin (cfs) | = | 525.00 |
| Qmax (cfs) | = | 525.00 |
| Tailwater Elev (ft) | = | Normal |

**Highlighted**

| | | |
|---|---|---|
| Qtotal (cfs) | = | 525.00 |
| Qpipe (cfs) | = | 498.05 |
| Qovertop (cfs) | = | 26.95 |
| Veloc Dn (ft/s) | = | 8.81 |
| Veloc Up (ft/s) | = | 8.81 |
| HGL Dn (ft) | = | 550.00 |
| HGL Up (ft) | = | 550.94 |
| Hw Elev (ft) | = | 552.13 |
| Hw/D (ft) | = | 1.35 |
| Flow Regime | = | Inlet Control |



PCH 1.7

January 3, 2022

To whom it concerns

BC Water will be supplying the water to cottonwood creek phase 4. It is in our service area and has always been included in future expansion.

BC Water Co LLC

22307 S Cottonwood Dr

Kennewick, WA 99338

Clayne Wiser

509-521-2282

**Community Development Department**
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us

**Planning Division**
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

# MITIGATED DETERMINATION OF NON-SIGNIFICANCE

**Proponent:**
Badger Properties II, c/o Coldwell Banker
8836 Gage Blvd, Ste 101b, Kennewick, WA 99336

**File No.** EA 2022-015

**Project Description**: The preliminary plat of Cottonwood Creek Phase 4 a subdivision of 25.58 acres into 13 lots with an average lot size of 1.72 acres.

**Project Location**: The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034.

**Jurisdiction:** Benton County, Washington.

**Lead Agency**: Benton County Planning Division.

**Threshold Determination:** The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(3), provided that the following measures are taken to mitigate potential adverse impacts. Substantive authority to require mitigation is derived from WAC 197-11-660 and Benton County Code, Chapter 6.35.120. The decision was made after review of a completed environmental checklist, comments received from various agencies and other information on file with the lead agency. This information is available to the public on request.

This MDNS is issued under WAC 197-11-355; no additional comments are being requested.

**Conditions/Mitigating Measures:** See Attached.

**Appeals:** You may appeal this determination to the Benton County Planning Division at Post Office Box 910, Prosser, WA 99350, **no later than June 17, 2022, by written notice.** The fee for a threshold determination appeal is $700.00. An appeal of the determination must be made in writing to the Benton County Planning Department and a public hearing will be scheduled and the appellant will be notified of the date, time, and place. You should be prepared to make specific factual objections. Contact the Planning Department to read or ask about the procedures for SEPA appeals.

**SEPA Responsible Official:** Michelle Cooke
**Position/Title:** Planning Division Manager
**Address:** P.O. Box 910, Prosser WA 99350

Date: **June 3, 2022**

Michelle Cooke, Planning Manager

**CORRECTED**
**CONDITIONS/MITIGATION MEASURES**

**File No.: EA 2022-015- Cottonwood Creek, Phase 4 Subdivision**

**Applicant:**
Badger Properties II, c/o Coldwell Banker,
8836 Gage Blvd, Ste 101b, Kennewick, WA 99336.

**Documents and Regulations:**

The environment threshold determination and conditions are based on an analysis of information contained in the following documents or the applicable regulations and restrictions of various agencies:

1. Benton County, BCC Title 6.35 Environmental Policy (SEPA);
2. Benton County, BCC Title 11, Zoning;
3. Benton County, BCC Title 9, Subdivisions;
4. Benton County Comprehensive Plan;
5. Benton County, BCC Title 15 Critical Area Ordinance;
6. Benton County, BCC Title 3 Building Code, Fire Code, and Road Standards;
7. Regulations of the Benton Clean Air Agency;
8. Regulations of the Washington State Department of Fish and Wildlife, Department of Transportation, Department of Ecology, Department of Natural Resources and Department of Archaeology and Historic Preservation; and
9. Application submittal materials including a Preliminary Plat Survey, dated April 26, 2022, SEPA Environmental Checklist dated April 26, 2022, and a Preliminary Storm Drainage Report, dated March 2022.

**Findings:**

1. Location:
   a. The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034.

2. Benton County, BCC Title 11, Zoning:
   a. The zoning designation for the project area is Rural Lands One Acre Zoning

District (RL-1). This zoning district has a minimum lot size of one acre; and

b. A single-family home is an allowed use in the RL-1 Zoning District.

3. Benton County, BCC Title 9, Subdivisions:
   a. Applicant has applied for preliminary plat consideration in accordance with BCC 9.05 Preliminary Plats.
4. Benton County Comprehensive Plan:
   a. The property is designated Rural Transition in the Benton County Comprehensive Plan.
5. Benton County, BCC Title 15, Critical Area Ordinance:
   a. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, no designated critical areas have been identified on this property. A critical area report is not required for the processing of a preliminary plat at this location.
   b. Wetlands: None identified.
   c. Critical Aquifer Recharge Area: None identified.
   d. Fish and Wildlife Habitat Conservation Area: None identified.
   e. Frequently Flooded Areas: None identified.
   f. Geologically Hazardous Areas: None identified.
6. The applicant is proposing a preliminary plat with 13 residential lots on 25.58 acres with an average lot size of 1.96 acres.
7. The applicant submitted the following materials for the SEPA review process:
   a. Preliminary Storm Drainage Report, dated March 2022;
   b. Preliminary Plat Survey, dated April 26, 2022; and
   c. SEPA Environmental Checklist dated April 26, 2022.
8. Letters submitted by the following agencies during the SEPA review process will additionally be considered during the preliminary plat review:
   a. Kennewick Irrigation District, dated May 25, 2022;
   b. Benton County Public Works, dated May 23, 2022;
   c. Benton County Fire Marshal, dated May 11, 2022;
   d. Washington State Department of Transportation, dated May 25, 2022.
   e. Benton Clean Air Agency, dated May 9, 2022.

**Conditions:**

The applicant must complete and comply with the following mitigating conditions for this Mitigated Determination of Non-Significance (MDNS).

1. **Benton County Planning Division**. Meet and comply with BCC Title 9, Subdivisions, including preliminary and final plat requirements, if approved.

   Compliance is required with the following for this project:

   a. Preliminary Storm Drainage Report, dated April 26, 2022, and SEPA

Environmental Checklist dated April 26, 2022.

2. **Benton County Public Works**.

   a. Pay to Benton County a traffic mitigation fee of three thousand five hundred dollars ($3,500) per lot either prior to final plat approval or add a note to the face of the plat stating that such fee must be paid for a particular lot prior to the issuance of any building permit fee on such lot within the project.

   b. The site plan for this subdivision shows a "20' storm easement" within the proposed 60' road right-of-way for Road A. The drainage easement shall be relocated outside of the road right-of-way. Provide engineered documentation and plans to support the location, size, and future stormwater flow impacts for this easement.

3. **County Fire Marshal**.

   The applicant will be required to meet the requirements of BCC 3.18.045 for Private Roads and Driveways on each newly created lot.

4. **Benton Clean Air Agency**. The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will ensure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, www.bentoncleanair.org.

5. **State of Washington Department of Transportation.** Consistent with our comments regarding other proposals in the area, we recommend the county require the proponent to contribute towards the county's planned improvements at Exit 109, in proportion to their impact. *(see Benton County Public Works Comment #2(a) above.)*

6. **Kennewick Irrigation District.**

   a. KID review and approval of grading and construction plans is required to allow KID to ensure road crossings over the Drain maintain adequate flows. Such review and approval will be coordinated as part of the County's review and Preliminary Plat approval process.

b. The Storm Report submitted as a part of the preliminary plat recommends sizing the culverts for Road A based on the 25-year event. Based upon KID's current and future planned use of the drain in addition to stormwater flows collected in the drain, KID requests the developer design the crossing for the 100-year storm event.
c. Design considerations for proposed sanitary sewer infrastructure within this development shall include the potential for sewer effluent leakage and seepage into the Drain, and mitigation measures to prevent such.
d. The Drain is connected to waters of the United States. Mitigation to prevent storm water from entering the Drain from the subject development is required.
e. Stormwater systems for the project shall be designed to retain, at minimum, a 100-year storm event above the Drain.

# SUB 2022-002EA 2022-015 Vicinity Map

6/3/2022, 3:03:09 PM

1:9,028

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

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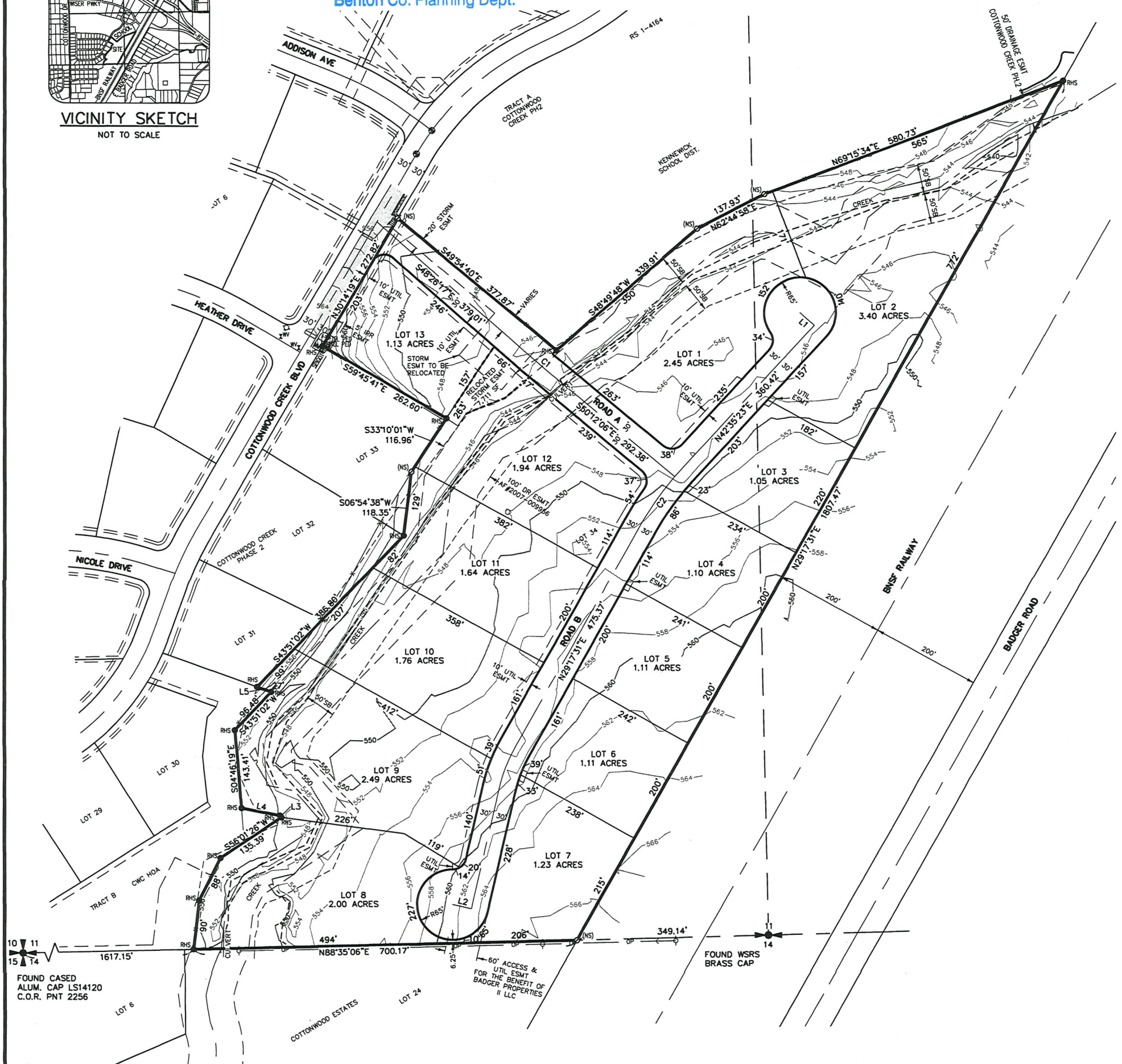
APR 26 2022
Benton Co. Planning Dept.

PRELIMINARY PLAT OF

# COTONWOOD CREEK PHASE 4

SOUTH HALF OF SEC. 11, T.08N., R.28E., W.M.,
BENTON COUNTY, WASHINGTON

VICINITY SKETCH
NOT TO SCALE




| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | Δ | CH DIREC. | CHORD |
| C1 | 46.17 | 1500.00 | 1°45'49" | S49°19'11"E | 46.17 |
| C2 | 115.87 | 500.00 | 13°16'40" | S35°57'03"W | 115.61 |

| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | DIRECTION |
| L1 | 35.00 | S47°24'37"E |
| L2 | 35.00 | S77°09'56"E |
| L3 | 3.99 | S40°58'09"E |
| L4 | 72.34 | S79°10'38"E |
| L5 | 27.38 | S70°13'32"E |

## DESCRIPTION

LOT 34 OF THE PLAT OF COTTONWOOD CREEK PHASE 2, AUDITORS FILE NUMBER 2007-038954, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

## HORIZONTAL CONTROL

WASHINGTON STATE SOUTH ZONE, US SURVEY FEET, NAD 83(11). PER THE CITY OF RICHLAND CONTROL FILE, GPS TIES WERE MADE TO 2252, 2253 AND 2256 CONTROL POINTS. PROJECTED TO GROUND AT POINT 2256

GROUND DISTANCES ARE SHOWN HEREON.

## SURVEYOR NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. LOCATIONS OF SAID UTILITIES WERE DERIVED FROM FIELD ASBUILT OBSERVATIONS.

2. THE CONTOURS SHOWN WERE DERIVED FROM DIRECT FIELD OBSERVATIONS. ACCURACY OF SHOWN CONTOURS MEET OR EXCEED THE US NATIONAL MAP ACCURACY STANDARDS, OF ONE-HALF THE CONTOUR INTERVAL.

3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. THEREFORE STRATTON SURVEYING AND MAPPING PC MAKES NO GUARANTEE THAT ALL ITEMS OF RECORD AFFECTING THE PROPERTY ARE SHOWN HEREON.

5. THIS IS A TOPOGRAPHIC MAP. THIS IS NOT A BOUNDARY SURVEY AND IS ONLY INTENDED TO DEPICT THOSE TOPOGRAPHIC FEATURES OR IMPROVEMENTS SHOWN HEREON. THE PROPERTY LINES SHOWN ARE RECORD LINES AND ARE ONLY SHOWN FOR GRAPHICAL REFERENCE.

6. THE PURPOSE OF THIS TOPOGRAPHIC SURVEY IS FOR THE USE AND AID IN THE DESIGN OF A PRELIMINARY PLAT.

7. FIELD WORK COMPLETED 12/01/21.

## NOTES

LOTS
NUMBER OF LOTS: 13 LOTS
LOT SIZE SMALLEST: LOT 13, 1.13 ACRES
LOT SIZE LARGEST: LOT 2, 3.40 ACRES
LOT SIZE AVERAGE: 1.72 ACRES
TOTAL PLAT ACREAGE: 25.58 ACRES

ROADS
ROAD LINEAR FEET: 2048 FT
ROAD AREA: 3.17 ACRES

ZONING
RL-1
-MINIMUM PARCEL SIZE ONE 1 ACRE/ 43,560 SF
-LOT WIDTH, EACH PARCEL SHALL HAVE AN AVERAGE LOT WIDTH OF NOT LESS THAN NINETY (90) FEET. PER BCC CHAPTER 11.14

UTILITIES
WATER: BADGER WATER
POWER: BENTON PUD
TELEPHONE: CHARTER
SEWER: ON-SITE
GAS: CNG

DEVELOPER/OWNER
BADGER PROPERTIES II LLC

FUTURE ROAD EXTENSION
LOTS 7 & 8 WILL RELINQUISH THE RIGHT TO PROTEST A FUTURE ROAD EXTENSION BY A NOTE ON THE FINAL PLAT.

## LEGEND

- RHS● = FOUND 5/8" REBAR W/YELLOW PLASTIC CAP MARKED "STRATTON 14120"
- ● = FOUND AS INDICATED
- (NS)Ø = NOT FOUND OR SET
- = FOUND AS INDICATED
- = CONCRETE CURB AND GUTTER
- = IRRIGATION VALVE
- = POWER POLE W/ GUY WIRE
- = POWER SWITCH
- = LIGHT POLE, PARKING
- = POWER TRANSFORMER
- P = POWER VAULT
- = SIGN
- = STORM CATCH BASIN
- = STORM MANHOLE
- TEL PEDO = TELEPHONE PEDESTAL
- WV = WATER VALVE
- WM = WATER METER
- = WATER FIRE HYDRANT
- = FENCE
- = EASEMENT
- = PROPERTY BOUNDARY
- = CENTERLINE
- OP OP = POWER LINE OVERHEAD
- = CONCRETE
- = ASPHALT

SCALE 1" = 100'

0 100 200 300

BASIS OF BEARING
WA STATE GRID
NAD83 PER C.O.R. CONTROL FILE

BASIS OF ELEVATION
CITY OF RICHLAND CONTROL FILE
PNT NO.2252
NAVD 88 DATUM
ELEV=601.42

EQUIPMENT USED
A THREE-SECOND TOTAL STATION
SPECTRA PRECISION RTK GPS

PRELIMINARY PLAT FOR
BADGER PROPERTIES II

STRATTON SURVEYING & MAPPING P.C.
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
www.strattonsurvey.com

| | |
|---|---|
| 2245PP3B.DWG | © 2022 |
| DATE: 04/15/22 | SHT. 1 OF 1 |
| DRAWN BY: DCI | JOB # 2245 |

**Community Development Department**
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us

**Planning Division**
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

## Notice of Application - Optional DNS Process

**Benton County has received a preliminary plat application and environmental checklist for the following project:**

Date of permit application: **April 26, 2022**
Date of determination of completeness: **May 2, 2022**
Date of Notice of Application: **May 6, 2022**
Comment due date: **14 days from publication of this notice**
Date of Notice of Application Publication: **May 11, 2022**

Agency Contact: Michelle Cooke, Benton County Planning Manager
michelle.cooke@co.benton.wa.us (509) 786-5612

**Agency File Number(s): SUB 2022-002 and EA 2022-015**

**Project Description:** The preliminary plat of Cottonwood Creek Phase 4 for a subdivision of 25.58 acres into 13 lots with an average lot size of 1.72 acres.

**Project Location:** The site is located west of E Badger Road and south of Wiser Parkway on Lot 34 of the plat of the Cottonwood Creek Phase 2, in Section 11, Township 8 North, Range 28 East, W.M. in Kennewick, WA on parcel number 1-1188-303-0000-034.

**Project Applicant:** Badger Properties II, c/o Coldwell Banker, 8836 Gage Blvd, Ste 101b, Kennewick, WA 99336.

**SEPA Environmental Review:** The Benton County Planning Division has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Non-Significance (DNS) or Mitigated Determination of Non-Significance (MDNS). The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed project.

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. Comments must be submitted 14 days from date of publication to the Benton County Planning Division, P.O. Box 910, Prosser, WA 99350. Any information submitted to Benton County is subject to the public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

**Preliminary Development Regulations and Existing Environmental Documents:** To evaluate the impacts of the proposed project, the following may be used for mitigation, consistency, and the development of findings and conclusions:

Benton County Code, including BCC Title 15 CAO, BCC Title 6.35 SEPA, Comprehensive Plan, BCC Title 9-Subdivision Regulations, BCC Title 11-Zoning Regulations, Department of Ecology, and the SEPA Environmental Checklist, dated April 15, 2022.

Other required agency evaluations, approvals, permits, and mitigation as necessary.

**Required Permits:**
Benton County Building Division Grading Permit and other forms, reports, or approvals as necessary.

**Required Studies:**
Unknown at this time.

This project does require an open record hearing before the Planning Commission and a closed record hearing before the Board of County Commissioners. A copy of the subsequent threshold determination and any other information concerning this action may be obtained by contacting the Benton County Planning Division at P.O. Box 910, Prosser, WA, or (509) 786-5612.

Dated at Prosser, Washington on this 6th day of May 2022.

Michelle Cooke, Planning Manager
Community Development Department

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APR 26 2022
Benton Co. Planning Dept.

## A. Background

1. Name of proposed project, if applicable: Cottonwood Creek Phase 4

2. Name of applicant: Badger Properties II: Jerritt Wiser

3. Address and phone number of applicant and contact person:
Coldwell Banker, 8836 Gage Blvd, Suite 101b, Kennewick WA 99336
509-539-6396

4. Date checklist prepared: March 2022

5. Agency requesting checklist: Benton County

6. Proposed timing or schedule (including phasing, if applicable):
Development will occure as soon as approval is granted, in the summer of 2022

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
This SEPA checklist is the only environmental information prepared directly related to this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No

10. List any government approvals or permits that will be needed for your proposal, if known.
Subdivision, SEPA. Civil Plan and Grading permit, USACE Permit for Culvert

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
The applicant proposes to subdivide this ±25.58 acre site into 13 detached single-family lots.
The average lot size proposed to be +/- 74,923 sq-ft

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site is located between railroad and Cottonwood Creek Blvd, north-east of Kash Loop.
It is located in the South 1/2 of Section 11, Township 08N, R 28E of the Willamette Meridian
in Benton County, Washington.

## B. Environmental Elements

### 1. Earth

a. General description of the site:

(circle one): Flat, (rolling), hilly, steep slopes, mountainous, other The site is generally rolling

b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope is approximately 13%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

NCRS Soil: Hezel loamy find sand. Benton County GIS: Warden-Shano-Esquatzel,
Soil will not be removed from the project.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

There are no surface indications or history of unstable soils in the immediate vicinity.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Portions of the site wil be graded to create roadways, utility easements, stormwater facitities, and house foundations and yards.
Approximately 5,000 CY of cut and fill are proposed total. Fill will be from on-site excavation to balance the earthwork.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, as with any project that involves earthwork or clearing, erosion could occur during construction. However, appropriate erosion and sedimentation control measures will be implemented during all construction activities.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

After the homes are built, approximately 19% of the site will be impervious

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

A county approved erosion control plan will be implemented prior to and during all construction acitivites. Likely erosion control

measures will include silt fencing, a gravel construction entrance, and site dewatering, if needed

## 2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During construction, emissions from construction equipment and vehicles will be generated. After completion, emissions from resident automobiles can be anticipated.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Automoblie emissions from nearby streets and neigborhoods could affect this site but are not anticipated to have a substantial impact.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

All construction equipment/vehicle will meet applicable state emission standards. Dust abatement measures will be in place during all construction activities.

## 3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The Badger drain routes through the middle of the project. This is a seasonal drain that recieves rainwater runoff in the winter during large rain events and irrigation return flows in the summer. The Badger drain discharges to the Amon Wasteway.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The road will be build across the Badger drain with a culvert. Future development will be located at least 50 ft away from the described waters.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Approximately 2050 CY of fill will be placed to support culvert in Badger Drain area

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

the culvert will be installed during dry season and no diversions or withdrawals are anticipated

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Yes, the water system that supplies the development, BC Water Co., uses well water as the water source. Water with drawals for the project will be about 253 gallons per lot for domestic water, or about 3,289 gal/day for the 13 lots Irrigation water will also be supply the lots from a well irrigation source. No water will be dischaged to groundwater.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Domestic sewer will be discharged into the ground through single lot single family septic drainfields. Each system would infiltrate the domestic water use, or about 250 gallons per lot per day. There will be 13 septic tanks and 13 drainfields serving the proposed 13 homes. Expected number of occupants is 36 persons total in 13 homes

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater runoff will be from roads, driveways, roofs, and patios. Stormwater from this project is proposed to be infiltrated on-site.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No. Standard erosion control measures will be in place during construction and will prevent waste materials from leaving the site.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

The existing site runoff was completely discharging into Badger drain. New development will collect runoff from the impervious surface and infiltrate it on site. Adjacent areas to drain will be kept at the same discharge path

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Installation of detention and infiltration pond, conveyance systems, installation of infiltration trench, and overflow system to Badger Drain.

## 4. PLANTS

a. Check the types of vegetation found on the site:

____deciduous tree: alder, maple, aspen, other
____evergreen tree: fir, cedar, pine, other
X shrubs
X grass
X pasture
____crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
____water plants: water lily, eelgrass, milfoil, other
____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

All existing vegetation will be cleared in preparation for development.

c. List threatened and endangered species known to be on or near the site.

Ferruginous hawk

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Street trees will be planted and landscaping will be planted on individual lots by the homeowners.

e. List all noxious weeds and invasive species known to be on or near the site.

Russian olive

## 5. ANIMALS

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.
Examples include:

Townsend's Ground Squirrel - townsendii

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

The entire region is part of the Pacific Flyway.

d. Proposed measures to preserve or enhance wildlife, if any:

New professional landscaping will occur on the proposed lots and will preserve wildlife that has adapted to the developed environment.

e. List any invasive animal species known to be on or near the site.

None known.

## 6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity will be used for power and either electricity or natural gas

will be used for heating

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

No special conservation features are proposed.

## 7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe any known or possible contamination at the site from present or past uses.

None known.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Construction vehicle diesel fuel will be stored in the vehicle gas tanks.

4) Describe special emergency services that might be required.

No special emergency services are anticipated, other then those normally associated with residential development of this type and scale.

5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed as no hazards are anticipated.

B. NOISE

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Noise from nearby streets and residences may affect this site.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

In the short-term, normal construction noise will be generated during daylight hours. In the long-term, normal residential neighborhood noise will be generated, such as vehicle noise.

3) Proposed measures to reduce or control noise impacts, if any:

None proposed. Noise control will be governed by the application stipulations of the Benton County Municipal Code. Work during approved construction hours.

## 8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The site is currently unoccupied and have no use. School is located to the north-west, railroad to the east and single home residents to the west

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

N/A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

c. Describe any structures on the site.

The site is vacant of any structures.

d. Will any structures be demolished? If so, what?

No. No structures exist.

e. What is the current zoning classification of the site?

RL-1

f. What is the current comprehensive plan designation of the site?

Rural Transition

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No. The project is not in a county classified geological hazard area, wellhead protection zone, 100-year flood zone, or other mapping layer on Benton County GIS.

i. Approximately how many people would reside or work in the completed project?

Assuming 2.7 people per household, the project will provide housing for 36 people, 2.7*13=35.1

j. Approximately how many people would the completed project displace?

No people will be displaced.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None needed as no people will be displaced.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This project will comply with the zoning ordinance and applicable zoning standards.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None are proposed.

## 9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

13 middle-income housing units will be provided.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

None proposed.

## 10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The future homes will be governed by the development standards within the zoning code, whcih sets a maximum height of 35 ft.

b. What views in the immediate vicinity would be altered or obstructed?

No views will be altered or obstructed.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The project will meet the height and landscape requirements of the Benton County Municipal Code.

## 11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Residential lighting and resident vehicle headlights will be produced after dark.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No.

c. What existing off-site sources of light or glare may affect your proposal?

Lights from adjacent residence and streets will be visable but are not expected to be detrimental to the project.

d. Proposed measures to reduce or control light and glare impacts, if any:

No street lights are proposed.

## 12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Cottonwood Elementary School is located directly west of the site

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed.

## 13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

County GIS data reviewed.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

If any archaeological artifacts are discovered during site development,

the appropriate agencies will be notified.

## 14. TRANSPORTATION

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Cottonwood Creek Blvd provide access to the site

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Each home will have at least 2-car garage, with room to park 2 or more vehicles in the driveway, so there will be total of at least 52 parking spaces provided. No parking spaces eliminated.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Road A, a public road will provide access to the lots within subdivision

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

ITE Manual, 9th Edition was used to estimate trips at: 10 trips per single family home, one trip per home in peak pm hour. Therefore 130 daily trips 13 peak hour pm trips.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

h. Proposed measures to reduce or control transportation impacts, if any:

Construction of on-site roads to serve the neighborhood.

## 15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Yes. The completed project will require all of the public services listed above.

b. Proposed measures to reduce or control direct impacts on public services, if any.

All required impact fees will be paid. New residents will pay taxes that will help fund many of the above listed services.

## 16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other water, refuse service, telephone, irrigation, septic system

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Water: Badger Water, Power: Benton PUD; Telephone: Frontier; Sewer: on site; Gas: CNG

## C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Clayne Wiser

Name of signee Clayne Wiser

Position and Agency/Organization member

Date Submitted:

## D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(**IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Applicant Information:
Badger Properties II
Jerritt Wiser
506-539-6396

Project Information:
Name: Cottonwood Creek Phase 4
Location: South of I-82, East of Badger Road
Description: Lot 34, Cottonwood Creek Phase 4, Quarter SW of Section 11, T08N, R28E, WM, Benton County, Washington

## ESA LISTED SALMONIDS CHECKLIST

The Listed Salmonids Checklist is provided in order that the county may initially identify a project's potential impacts (if any) on salmonids that have been listed as "threatened" or "endangered" under the Federal Endangered Species Act (ESA). A salmonid is any fish species that spends part of its life cycle in the ocean and returns to fresh water. Potential project impacts that may result in a "taking" of listed salmonids must be avoided, or mitigated to insignificant levels. Generally, under ESA, a "taking" is broadly defined as any action that causes the death of, or harm to, the listed species. Such actions include those that affect the environmental in ways that interfere with or reduce the level of reproduction of the species.

If ESA listed species are present or ever were present in the watershed where your project will be located, your project has the potential for affecting them, and you need to comply with the ESA. The questions in this section will help determine if the ESA listing will impact your project. The Fish Program Manager at the appropriate Department of Fish and Wildlife (DFW) regional office can provide information for the following two questions. Please contact the Dept. of Fish and Wildlife at 1701 S. 24th, Yakima WA 98902-5720, Phone No. 509-575-2740.

1. Are ESA listed salmonids currently present in the watershed in which your project will be?
YES X NO____
Please Describe.

This project is in the Columbia River water shed.

2. Has there ever been an ESA listed salmonid stock present in this watershed?
YES X NO____
Please Describe.

This project is in the Columbia River watershed, which has listed ESA salmonid stock in it.

If you answered "yes" to either of the above questions, you should complete the remainder of this checklist.

**PROJECT SPECIFIC**: The questions in this section are specific to the project and vicinity.

A1. Name of watershed Upper Mid-Columbia

A2. Name of nearest waterbody Amon Wasteway

A3. What is the distance from this project to the nearest body of water? 1900 ft

Often a buffer between the project and a stream can reduce the chance of a negative impact to fish.

A4. What is the current land use between the project and the potentially affected water body (parking lots, farmland, etc.)

Open space

A5. Is the project above a:

| | | |
|---|---|---|
| Natural permanent barrier (waterfall) | YES_____ | NO_x_____ |
| Natural temporary barrier (beaver pond) | YES_____ | NO_x_____ |
| Man-made barrier (culvert, dam) | YES_x_____ | NO_____ |
| Other (explain) | Culvert and dam near Gage Blvd. | |

A6 If yes, are there any resident salmonid populations above the blockage?

YES____ NO_x_____ Don't Know _____

A 2009 Study (Suitabilty of Amon Wasteway for Salmonid Production, January 2009) determined that Amon wasteway is unlikely to provide suitable salmonid habitat.

A7. What percentage of the project will be impervious surface (including pavement & roof area)?

Approximately 19 % of the developed site will be impervious.

**FISH MIGRATION:** The following questions will help determine if this project could interfere with migration of adult and juvenile fish. Both increases and decreases in water flows can affect fish migration.

B1. Does the project require the withdrawal of

a. Surface water? Yes_____ No_x_____

Amount _____

Name of surface water body_____

b. Ground water? Yes_x_____ No_____

Amount 3,289 gal/day domestic; Apprx. 166 acre-ft/yr irr.

From Where Existing wells located in the vicinity

Depth of well 980 ft (domestic), 250 ft irr.

B2. Will any water be rerouted? YES_____ NO_x_____

If yes, will this require a channel change?

B3. Will there be retention ponds? YES_x_____ NO_____

If yes, will this be an infiltration pond or a surface discharge to either a municipal storm water system or a surface water body?

Infiltration pond with overflow to natural low point. No discharge to a surface water body is proposed.

If to a surface water discharge, please give the name of the waterbody.

B4. Will this project require the building of new roads? Increased road mileage may affect the timing of water reaching a stream and may, thus, impact fish habitat.

Yes, approximately 2050 linear feet of new road will be constructed

B5. Are culverts proposed as part of this project? Yes X No

Driveway culverts and two 6' culverts

B6. Will topography changes affect the duration/direction of runoff flows?
Yes_____ No_x_

If yes describe the changes.

In general, the existing runoff flows from the west , through the project, toward the west and into the Badger Drain. The flow direction and approximat flow duration will be maintained in the developed condition.

B7. Will the project involve any reduction of the floodway or floodplain by filling or other partial blockage of flows? Yes_____ No_x_

If yes, how will the loss of flood storage be mitigated by your project?

**WATER QUALITY:** The following questions will help determine if this project could adversely impact water quality. Such impacts can cause problems for listed species. Water quality can be made worse by runoff from impervious surfaces, altering water temperature, discharging contaminants, etc.

C1. Do you know of any problems with water quality in any of the streams within this watershed? YES_X_ NO____

If yes please describe.
There are fertilizers and pesticides in some of the tributary streams and rivers that flow into the Columbia River.

C2. Will your project either reduce or increase shade along or over a waterbody?
YES____ NO_X_ Removal of shading vegetation or the building of structures such as docks or floats often result in a change in shade.

C3. Will the project increase nutrient loading or have the potential to increase nutrient loading or contaminants (fertilizers, other waste discharges, or runoff) to the waterbody?
YES____ NO_X___

The site is currently unoccupied, in the future it will be residential lawns; fertilizers use is expected to be about the same as existing. In the developed condition, infiltration facilities are proposed to reduce runoff from the project.

C4. Will turbidity be increased because of construction of the project or during operation of the project? In-water or near water work will often increase turbidity. YES____ NO_X_

Culverts across the Badger drain will be constructed in the dry to minimize turbidity

C5. Will your project require long term maintenance, i.e., bridge cleaning, highway salting, chemical sprays for vegetation management, clearing of parking lots?
YES____ NO_X___
Please Describe.

**Vegetation:** The following questions are designed to determine if the project will affect riparian vegetation, thereby, adversely impacting salmon.

D1. Will the project involve the removal of any vegetation from the stream banks?
YES_x___ NO_____

If yes, please describe the existing conditions and the amount and type of vegetation to be removed.

Some vegetation, russian olive, and other dead trees will removed for culvert instllation. Approximately 800 sq-ft of vegetation will be removed.

D2. If any vegetation is removed, do you plan to re-plant? YES____ NO_X___
If yes, what types of plants will you use?

The site is currently unoccupied, after development it will have residential lawns, shrubs, and trees.

**FOR OFFICIAL USE ONLY:**
Critical Area Review Completed by _____ on _____
Application approved for processing by _____ on _____
Zoning and Comp Plan Designation_____

PUBLIC HEALTH
Prevent • Promote • Protect
BENTON-FRANKLIN HEALTH DISTRICT

March 09, 2022

Badger Properties II LLC
22307 Cottonwood Dr
Kennewick, WA 99338

RE: Preliminary Review of TBD Cottonwood Creek Blvd Parcel # 1-1188-303-0000-034, Benton County

Dear Mr. Wiser,

This department completed a preliminary plat review on March 9th, 2022 of the above referenced plat proposal. This department has reviewed the above referenced plat in accordance with our current land development policies and requirements for new subdivisions. Our findings are listed below:

1. There 13 lots ranging from 1.05 acre to 3.41 acres.
2. The proposed land use is for single family dwellings.
3. Soils encountered throughout the proposed plat area are Type 5 (silt loam).
4. Slopes are variable throughout the plat.
5. Proposed domestic water supply is public water supply BC Water.

Findings indicate the above referenced plat generally meets our requirements for plats utilizing onsite sewage disposal systems and public water supply, provided:

1. All lots shall have a minimum of 1/2 acre in size and contain a minimum of 20,000 square feet of usable land area.
2. All wells, irrigation lines, canals, and surface waters within 150ft of the plat are shown on the plat map.
3. Prior to final approval, this office must be given the opportunity to review the final plat for compliance with Benton-Franklin Health Department Rules and Regulations No. 2, and WAC 246-272A, and issue appropriate comments to the Benton County Planning Department.
4. Prior to the issuance of any onsite sewage disposal permits, additional test holes may be required to verify acceptable area for initial and replacement sewage disposal system and design criteria such as trench depth on each lot.



7102 W. Okanogan Place
Kennewick, WA 99336
**Office: (509) 460-4200**

412 W. Clark
Pasco, WA 99301
**Office: (509) 547-9737**

5. It is recommended that some provision be made to facilitate future connection to a municipal sewer utility at such time as said utility becomes available.

6. The following statement is placed on the plat:
"This plat appears to have suitable conditions for the use of on-site sewage disposal systems. However, because of the nature of the testing methods used, we have no way of determining whether each lot can comply with Benton-Franklin Board of Health Rules and Regulation at the time of permit issuance. Further be advised this department's approval of any lot within this plat for the use of on-site sewage disposal systems may be contingent upon that lot passing additional soil inspections, percolation tests, and/or other requirements at a later date."

This recommendation is based on present known site conditions and does not guarantee the granting of an on-site sewage disposal permit. Our approval of any lot within this plat may be contingent upon that lot passing additional soil inspections/percolation tests, and/or other requirements at a later date. Should adverse site conditions be revealed at a later date, the Health Department reserves the right to impose restrictions or deny the issuance of any on-site sewage disposal permit.

Your application will be held in an active state until March 9th, 2023, at which time the submittal will be deemed null and void should this proposal not be developed by that time.

If you have any questions, please contact me at the Health Department at (509) 460-4330.

Sincerely,

JG

Justin Gerber
Environmental Health Specialist II

CC: Benton County Planning Department

## Donna Hutchinson

**From:** Tina Glines <glinest@bentonpud.org>
**Sent:** Monday, May 9, 2022 6:33 AM
**To:** Donna Hutchinson
**Subject:** [EXTERNAL] RE: [E] SUB 2022-002 Cottonwood Creek Ph 4 Agency Review

EXTERNAL EMAIL WARNING!!!: This email originated from outside of Benton County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hi Donna,

A power layout was submitted to the developer which is not reflected on the submitted plans. Benton PUD will require a 10 foot utility easement along all road frontages.

Thank you,

*Tina Glines*
Distribution Design Technician
(509) 582-1241

**From:** Donna Hutchinson <Donna.Hutchinson@co.benton.wa.us>
**Sent:** Friday, May 6, 2022 4:26 PM
**To:** Fire District #1-Billie <billie@bentonone.org>; Fire District #1-Staff <staff@bentonone.org>; School District # 17-Ryan Jones <Ryan.Jones@ksd.org>; Kennewick Irrigation District-Development (development@kid.org) <development@kid.org>; Benton Clean Air - Noah Lee <noah.lee@bentoncleanair.org>; john.lyle@bentoncleanair.org; Benton Clean Air-Priddy <robin.priddy@bentoncleanair.org>; Benton Clean Air-Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air-Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton-Franklin Dist. Health Dept. <rickd@bfhd.wa.gov>; Frontier Telephone <north.central.dbmc.control.desk@ncnetwork.net>; Dept. of Transportation (scplanning@wsdot.wa.gov) <scplanning@wsdot.wa.gov>; Cascade Natural Gas (Walter.Nelson@cngc.com) <Walter.Nelson@cngc.com>; Natural Resources Conservation Service <ray.gekosky@wa.usda.gov>; US Postal Service (ina.n.beutler@usps.gov) <ina.n.beutler@usps.gov>; US Postal Service - Address Management System <Tina.C.Fisher@usps.gov>; WA Dept of Health - Kelly Cooper - WA Dept of Health - Kelly Cooper (SEPA.reviewteam@doh.wa.gov) <SEPA.reviewteam@doh.wa.gov>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Ben Franklin Transit - Bill Barlow (bbarlow@bft.org) <bbarlow@bft.org>; Ben Franklin Transit K. McMullen <KmcMullen@bft.org>; Ben Franklin Transit - B. Windler <bwindler@bft.org>; Dept. of Ecology-Former Orchards SEPA (FormerOrchards@ecy.wa.gov) <FormerOrchards@ecy.wa.gov>; Dept. of Ecology - Lori White (lori.white@ecy.wa.gov) <lori.white@ecy.wa.gov>; PARKS <PARKS@co.benton.wa.us>; Southeast Communication Center (k.lettrick@bces.wa.gov) <k.lettrick@bces.wa.gov>; Burlington Northern Sante Fe Railroad <carrie.thompson@BNSF.com>; Mosquito Control (admin@mosquitocontrol.org) <admin@mosquitocontrol.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Kathy Mann <Kathy.Mann@co.benton.wa.us>; Segregations <segregations@co.benton.wa.us>; Chad Brooks <brooksc@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>
**Subject:** [E] SUB 2022-002 Cottonwood Creek Ph 4 Agency Review

**[EXTERNAL EMAIL]**

Attached please find information regarding the preliminary plat of Cottonwood Creek Phase 4. Please review and submit any comments you may have on this project to our office no later than May 25, 2022.

If you have any questions please contact our office.

Donna Hutchinson
Office Assistant IV
Community Development Dept.
Planning Division
PO Box 910 Prosser WA 99350
(509) 786-5612

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**Prosser:** We are now located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. **Kennewick:** The County has opened a new Public Services Office at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.

# BENTON CLEAN AIR AGENCY

May 9, 2022

Re: EA 2022-015

Donna Hutchinson
Office Assistant IV
PO Box 910
Prosser, WA 99350

**Applicant/Proponent:** Badger Properties II
Attn: Jerritt Wiser
8836 Gage Blvd, Suite 101b
Kennewick, WA 99336

Dear Ms. Hutchinson:

It has come to our attention that you are reviewing a proposal for the above named applicant in which a parcel or parcels will be disturbed for development. Because these activities may cause possible fugitive dust emissions, we would like to take this opportunity to provide information to ensure that the applicant takes reasonable steps to control the dust from his/her project.

The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, www.bentoncleanair.org.

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,

Noah Lee

Noah Lee
Inspector

STATE OF WASHINGTON
**DEPARTMENT OF ECOLOGY**
**Central Region Office**
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

May 18, 2022

Donna Hutchinson
Benton County Planning
PO Box 910
Prosser, WA 99350

Re: SEPA Register 202202230, EA 2022-015, SUB 2022-002

Dear Donna Hutchinson:

Thank you for the opportunity to comment during the Optional Determination of Non Significance process for the Preliminary Plat of Cottonwood Creek Phase 4, proposed by Badger Properties II. We have reviewed the documents and have the following comments.

**WATER QUALITY**

Project with Potential to Discharge Off-Site
If the project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. 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.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

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 **Lloyd Stevens, Jr.** at the Dept. of Ecology, (509) 574-3991 or email lloyd.stevensjr@ecy.wa.gov , with questions about this permit.

Sincerely,

Gwen Clear

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

BENTON COUNTY WA

**PUBLIC WORKS DEPARTMENT**

**TO: PLANNING DEPARTMENT**

**FROM: CRISTINA WOODS**

**DATE:5/23/2022**

**SUBJECT: PRELIMINARY PLAT – SUB 2022-002 COTTONWOOD CREEK PHASE 4**

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Please add the following as conditions of final approval for the above reference plat:

1. The developer shall provide a complete set of engineered construction drawings for review and approval by the County and associated utilities. The drawings shall contain all appropriate information listed on the attached Minimum Plan Requirements. Grading plan will include grading to shape any drainage easements to route and fully contain all runoff based upon the 100-year storm within the easement limits. All plans and associated reports shall be prepared by a Professional Engineer licensed to practice in the State of Washington

2. All construction shall be in accordance with the most current WSDOT Standard Specifications for Road, Bridge and Municipal Construction, applicable Benton County Standard Plans and the requirements of the County Engineer

3. All roads within this plat shall have a paved width of 24 feet with a minimum 2-foot gravel shoulder. Roadways shall be designed for a minimum 25 mile per hour design speed

4. The pavement return radius at all intersections shall be a minimum of 35 feet

5. All stormwater from the roadways shall be contained on the plat and shall utilize surface infiltration (ditches, swales, ponds) for detention. The developer shall have an infiltration test performed at each proposed detention area. Tests shall be done with an infiltrometer using the falling head or constant head method. Other methods of infiltration rate determination shall be approved by the County.

6. The developer shall provide a complete stormwater runoff report developed in accordance with the Stormwater Management Manual for Eastern Washington accosting for all impervious and pervious surfaces draining to the roadside ditches. Design storm shall be a Modified SCS Type IA with a 25-year return frequency.

7. All signage including but not limited to stop signs, speed limit signs and street name signs shall be installed by the developer in accordance with Benton County Standard Plans

8. All new power, telephone, cable TV and irrigation shall be installed outside of the County right of way in the appropriate easements. Domestic water piping may be installed within the County right of way in accordance with a valid franchise agreement

9. Survey monuments, with cases and covers per Benton County Standard R-14B, shall be placed at all road intersections, points of curvature, points of tangency, centers of cul-de-sacs, section corners and quarter corners. All monuments shall be set by a Professional Land Surveyor licensed to practice in the state of Washington

10. Dedicate 60' of right of way to Benton County for road purposes. (The plan shows 30 feet each side of centerline with no description of what the 30 feet is for)

11. Provide a cross walk at the intersection of road "A" and Cottonwood Creek Blvd

12. The existing storm drain catch basin at the entrance of the proposed road "A" shall be removed or relocated outside of traveled way. The storm water from Cotton Wood Creek Blvd. currently collected and diverted by this storm drain shall be addressed as part of the relocation/removal. Provide engineering calculations.

13. The site plan for this subdivision shows a "20' storm easement" within the proposed 60' road right-of-way for Road A. The drainage easement shall be relocated outside of the road right-of-way. Provide engineered documentation and plans to support the location, size, and future stormwater flow impacts for this development.

14. The "60' Access and utility easement for the benefit of Badger Properties" at the South end of road B shall be dedicated to the County for road purposes instead.

15. After final approval of the road construction, one full size Mylar of the record drawings shall be provided to Public Works.

**Add the following notes to the face of the final plat**

1. Benton County is not responsible for the maintenance or upkeep of any stormwater retention facility or drainage easements. All such maintenance and upkeep are the responsibility of the underlying property owner.

2. Road approaches shall not be permitted directly across roadway tee intersections

3. Prior to the construction of any driveway or the issuance of any building permit for any lot within this subdivision the property owner shall obtain a Road Approach Permit from the Benton County Public Works Department and install the required temporary construction access

4. No trees, shrubs, weeds, fencing or other obstructions more than 24 inches in height are permitted within Benton County right of way

5. Property owners that install grass, curbing, rock mulch or other landscaping within the County right of way do so at their own risk. The County will not repair or replace damaged landscaping due to construction or maintenance operations

6. All lots within this subdivision are subject to a three thousand five hundred ($3,500) traffic mitigation fee. Such fee shall be due and payable prior to issuance of any Building Permit or Road Approach Permit.

**Donna Hutchinson**

**From:** Clark Posey
**Sent:** Monday, May 23, 2022 4:24 PM
**To:** Michelle Cooke; Donna Hutchinson
**Subject:** RE: Notice of Application - SUB 2022-002 Cottonwood Creek Ph 4

# Fire Marshal Comments for Cottonwood Creek Phase 4. SUB # 2022-002

Badger Properties II
EA # 2022-015

Parcel # 1-1188-303-0000-034

## Applicant will be required to meet the requirements of BCC 3.18.045 for Private Roads and Driveways on each newly created lot.

The following comments are required for fire hydrants installation and locations.

i. Water system plans and specifications which comply with these regulations must be designed and stamped by a registered, professional engineer licensed in the State of Washington. Said plans shall be signed by the purveyor and shall be filed with the Benton County Fire Marshal and the Department of Health.

ii. Water system plans shall be approved in writing by the Benton County Fire Marshal.

iii. The approved water system shall be installed prior to final plat approval or a statement shall be placed on the plat indicating no building or Manufactured Home/FAS installation permit will be issued until the water system is installed, operating, and approved.

iv. Two (2) copies of the "as built" drawings must be filed with the Benton County Fire Marshal.

b. When the distribution system is installed, said installation must be under the direction of a registered, professional engineer licensed in the State of Washington who shall certify the construction of the system is in accordance with the approved design.

c. Written approval from the Benton County Fire Marshal that the system is operating to specifications shall be submitted.

d. Water mains shall meet the standards of Benton County Code 3.18.035.

e. Fire hydrants shall meet the standards of Benton County Code 3.18.036.

f. Location of hydrants shall be determined by the Benton County Fire Marshal. The location of all water mains, fire hydrants, and valves to be installed shall be properly and accurately marked on identifiable plans or drawings. Two (2) copies of all plans or drawings shall be furnished to the Benton County Fire Marshal.

g. Fire hydrant spacing shall meet the standards of Benton County Code 3.18.037.
h. Fire hydrants maintenance shall comply with Benton County Code 3.18.038.
i. Minimum fire flow requirements shall comply with Benton County Code 3.18.039.
j. Purveyor requirements shall comply with Benton County Code 3.18.040.

Michelle Cooke • *Planning Manager*
Benton County Community Development Department - Planning Division
Benton County Courthouse, 620 Market Street, Prosser, WA 99350
Benton County Public Services Office, 102206 E Wiser Parkway, Kennewick, WA 99338
Michelle.Cooke@co.benton.wa.us
(509) 786-5612

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**From:** Clark Posey <Clark.Posey@co.benton.wa.us>
**Sent:** Wednesday, May 11, 2022 4:46 PM
**To:** Planning Department <Planning.Department@co.benton.wa.us>
**Subject:** FW: Notice of Application - EA 2022-015 Cottonwood Creek Ph 4

# Fire Marshal Comments for Cottonwood Creek Phase 4. EA # 2022-015

Badger Properties II
EA # 2022-015

Parcel # 1-1188-303-0000-034

## Applicant will be required to meet the requirements of BCC 3.18.045 for Private Roads and Driveways on each newly created lot.

## No comment on SEPA and any possible environmental impacts.

Thank you,

Clark

**From:** Planning Department <Planning.Department@co.benton.wa.us>
**Sent:** Friday, May 6, 2022 4:17 PM
**Subject:** Notice of Application - EA 2022-15-SUB 2022-002 Cottonwood Creek Ph 4

The Benton County Planning Department has prepared the attached Notice of Application (NOA) for review by all agencies with jurisdiction. We are circulating it for comments on the **environmental impacts** of this action. You may also view the documents on the SEPA website at: SEPA record number 202202230, "Preliminary Plat of Cottonwood Creek Phase 4"

We appreciate your review of the proposal and return of comments no later than **January 3, 2013.** This proposal will not be acted upon before that time.

Donna Hutchinson
Office Assistant IV
Community Development Dept.
Planning Division
PO Box 910 Prosser WA 99350
(509) 786-5612

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**Prosser:** We are now located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. **Kennewick:** The County has opened a new Public Services Office at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.

Washington State Department of Transportation

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

May 25, 2022

Benton County Planning Division
P.O. Box 910
Prosser, WA 99350

Attn: Michelle Cooke, Benton County Planning Manager

RE: SUB 2022-002/EA 2022-015 – Cottonwood Creek Phase 4
I-82 Exit 109 vicinity Rt.

We have reviewed the proposed project and have the following comment.

The subject property is in the immediate vicinity of Interstate 82 (I-82) and the Exit 109 interchange. We are not opposed to this project, or other developments along Wiser Parkway; however, we are concerned with the cumulative impact developer driven traffic is having on this interchange. Consistent with our comments regarding other proposals in the area, we recommend the county require the proponent to contribute towards the county's planned improvements at Exit 109, in proportion to their impact.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding this letter, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth

Paul Gonseth, P.E.
Region Planning Engineer

PG: jjp

cc: SR 82, File #2022_016

**2015 South Ely Street**
**Kennewick, WA 99337**
**Customer Service 509-586-9111**
**Business 509-586-6012**
**FAX 509-586-7663**
**www.kid.org**

May 25, 2022

Michelle Cooke, Planning Manager
**Benton County Community Development Department - Planning Division**
PO Box 910
Prosser, WA 99350

Subject: Review Comments for Preliminary Plat for Cottonwood Creek Ph. 4 (SUB 2022-002)

Dear Ms. Cooke:

This letter provides Kennewick Irrigation District (KID) review comments for Preliminary Plat for Cottonwood Creek Ph. 4 (SUB 2022-002) submitted by Jerritt Wiser with Badger Properties II ("Applicant")[1] to divide a 25.58-acre parcel into 13 lots. **These comments are preliminary and subject to KID Board approval on June 7th, 2022. A final comment letter will be provided to the County after June 7th, 2022.** The property is generally located south of Wiser Road between Cottonwood Creek Boulevard and Badger Road in the South half of Section 11, Township 8 North, Range 28 East, W.M. The parent parcel(s) are listed as follows:

- Parcel #: 111883030000034 (25.58 **non-irrigable** acres)

The property identified on the proposed Preliminary plat is located within the boundaries of KID. The property within this Preliminary plat is <u>not</u> classified as irrigable land. Accordingly, KID provides the following comments to be included as required conditions of approval by the legislative authority under RCW 58.17.310(2):

1) *The plat shall include the following irrigation easements consistent with KID requirements:*
   a. *On all lots within the plat, dedicate to KID an irrigation easement 10 feet in width, or five (5) feet in width if adjacent to a utility easement, located along the road frontage or access easements of each lot. An irrigation easement may be included within the 'sidewalk and utility' easement if one is proposed, denoting the easement as a "Sidewalk, Utility, and Irrigation Easement."*

2) *KID asserts rights to recapture artificially stored groundwater within KID Boundaries, particularly within the Pasco Gravel units' groundwater aquifer. KID opposes the use of domestic wells drilled within the Badger Coulee shallow aquifer. KID is confident that its position regarding the artificially stored groundwater in the perched aquifer is supported by the facts and the law. A RH2 Engineering report titled, "Badger Coulee Recapture of Artificially-stored Project Water Report", clearly states that the Pasco Gravels is artificially stored water which KID asserts rights to recapture.*

[1] Reference to the "Applicant" throughout this comment letter shall refer to the property owner and/or developer of the proposed plat.

a. *KID understands the existing potable water distribution system well is drilled into the lower aquifer and does not impact the Badger Coulee shallow aquifer. Use of the existing well for domestic water is uncontested by KID.*

In addition, pursuant to RCW 58.17.310 (1), KID would like to inform the County of the following information regarding the effect of the proposed preliminary plat upon the structural integrity (including lateral support) of KID's facilities, other risk exposures, and the safety of the public and irrigation district, and related conditions of approval that KID deems to be necessary as a result:

3) *The East Badger ("West Fork Amon") Drain runs longitudinally through the subject property. It is the position of KID that (a) the East Badger Drain is not a water of the United States and is not within the jurisdiction of the Clean Water Act (CWA); and, alternatively, (b) the proposed construction of an engineered crossing in the East Badger Drain by a private developer is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.*
    a. *The East Badger Drain is Not a Water of the United States*
        i. *It is the position of KID that the East Badger Drain is an irrigation ditch that is not a water of the United States. The East Badger Drain was constructed in the 1950s as a part of the drainage system for the Kennewick Division of the United States Bureau of Reclamation (Reclamation). Prior to the application of irrigation water to the lands in Badger Coulee, the presence of any water in what is now the East Badger Drain would have been ephemeral in nature and in response to a sustained and voluminous precipitation event, such as rain-on-snow. It was a dry wash in an arid desert that receives on average 7-inches of precipitation in a year. Today, to the extent that any flows are present in the East Badger Drain, they are KID irrigation return flows. Furthermore, even when some irrigation return flows are present in parts of the East Badger Drain during irrigation season, there are hydrological breaks in which surface water is not present. There is no direct connection to perennial waters located further downstream.*
        ii. *In their proposed revised definition of the "Waters of the United States", the U.S. Army Corps of Engineers and the Environmental Protection Agency (the "agencies") state the following:*

> *The preamble to the 1986 regulations explains that ''[n]on-tidal drainage and irrigation ditches excavated on dry land'' are generally not considered ''waters of the United States.'' 51 FR 41217. The agencies shifted this approach slightly in the Rapanos Guidance and explained that ''ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water are generally not waters of the United States.'' Rapanos Guidance at 11–12. The agencies explained that these features are generally not considered ''waters of the United States'' ''because they are not tributaries or they do not have a significant nexus to downstream traditional navigable waters.'' Id.*

*The agencies intend to continue implementing the approach to ditches described in the Rapanos Guidance. This approach is more consistent with the relatively permanent standard than the approach in the preamble to the 1986 regulations. Consistent with previous practice, ditches constructed wholly in uplands and draining only uplands with ephemeral flow would generally not be considered "waters of the United States."*

*Revised Definition of the "Waters of the United States", 86 Fed. Reg. 69,433 (December 7, 2021).*

iii. *KID's approach to the East Badger Drain aligns with the agencies Rapanos guidance. The East Badger Drain is a ditch "excavated wholly in and draining only uplands and . . . do[es] not carry a relatively permanent flow of water. . .".*

b. *The Construction of an Engineered Crossing Does Not Convert the Use of the East Badger Drain*

i. *Even if the East Badger Drain were erroneously considered a water of the United States, the proposed construction of an engineered crossing in the East Badger Drain is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.*

ii. *As it is reflected in the Joint Memorandum to the Field Between the U.S. Department of the Army, Corps of Engineers and the U.S. Environmental Protection Agency Concerning Exempt Construction or Maintenance of Irrigation Ditches and Exempt Maintenance of Drainage Ditches under Section 404 of the Clean Water Act (July 24, 2020), 404(f) has a recapture provision that is designed to override the permitting exemptions in section 404(f)(1).*

*It states the following:*

> *Any discharge of dredged or fill material into the navigable waters incidental to any* ***activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject, where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced,*** *shall be required to have a permit under this section.*
>
> *33 U.S.C. 1344(f)(2) (emphasis added).*

iii. *The construction of an engineered crossing will not be bringing an area of navigable waters into a use to which it was not previously subject. The East Badger Drain will remain a drain. Water, if present, will continue to flow through it. Furthermore, the flow of any waters present in the drain will not be impaired and the reach of those waters will not be reduced because of the construction of an engineered crossing. If anything results from the construction*

*of an engineered crossing, it would be the increased reach of any irrigation return waters present in the drain.*

iv. *The recapture provision in 404(f) is particularly concerned with the conversion of waters into dry land and the blockage of waters. Senator Muskie, one of the primary sponsors of the CWA, explained the scope and intention of the recapture provision:*

> *New subsection 404(f) provides that Federal permits will not be required for those narrowly defined activities that cause little or no adverse effects either individually or cumulatively. While it is understood that some of these activities may necessarily result in incidental filling and minor harm to aquatic resources, the exemptions do not apply to discharges that convert extensive areas of water into dry land or impede circulation or reduce the reach or size of the water body.*
>
> *A Legislative History of the Clean Water Act of 1977: A Continuation of the Legislative History of the Water Pollution Control Act, at 474 (1978).*

v. *The construction of an engineered crossing will not "convert extensive areas of water into dry land or impede circulation or reduce the reach or size" of any waters in the East Badger Drain.*

c. *Conclusion*
   i. *The East Badger Drain is not a water of the United States subject to 404 permitting.*
   ii. *In addition, standard maintenance and construction activities in and around irrigation ditches have and continue to be exempt from the Clean Water Act. Thus, even if the East Badger Drain was erroneously considered a water of the United States, the construction of an engineered crossing in an irrigation ditch such as East Badger Drain constitutes a standard construction activity that is not subject to the recapture provision of 33 U.S.C. 1344(f)(2).*

4) *KID requests the following in relation to the East Badger Drain:*
   a. *KID review and approval of grading and construction plans is required to allow KID to ensure road crossings over the East Badger Drain maintain adequate flows. Such review and approval will be coordinated as part of the County's review and Preliminary Plat approval process.*
      i. *The Storm Report submitted as a part of the preliminary plat recommends sizing the culverts for Road A based on the 25-year event. KID requests the developer design the crossing for the 100-year storm event.*
   b. *Design considerations for proposed sanitary sewer infrastructure within this development shall include the potential for sewer effluent leakage and seepage into the East Badger Drain, and mitigation measures to prevent such.*

c. *The East Badger Drain is connected to waters of the United States. Mitigation to prevent storm water from entering the East Badger Drain from the subject development is required.*
   i. *Stormwater systems for the project shall be designed to retain, at minimum, a 100-year storm event above the East Badger Drain.*

Finally, KID requests the following additional conditions of Preliminary Plat approval:

5) *The following fees for review must be paid prior to KID signature on the Preliminary Plat:*
   a. *A Preliminary Plat review fee (at the time of application, fee is **$175.00**).*
   b. *Fees are subject to change and depend on the date the Preliminary Plat is submitted for final approval.*
   c. *Please call KID customer service at the number listed above to arrange for payment. Payment may be made by 1) check via mail, 2) check over the phone, 3) check placed in the KID drop-box, and 4) credit card over the phone (please note there is a 2.75% surcharge added to all credit card transactions).*

6) *Please include the following irrigation title block on future final plats related to the proposed preliminary plat:*
   a. *I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THIS DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON THIS PRELIMINARY PLAT ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.*

7) *All subdivisions of land are required to be approved by the KID Board of Directors during a KID Board Meeting. KID Board Meetings are regularly scheduled on the first and third Tuesdays of each month. All conditions must be completed prior to submittal to KID for final approval. The submittal for final approval must be received by KID a minimum of one week prior to a regularly scheduled Board Meeting to be considered at that meeting. This change can potentially extend the approval process by a minimum of one week.*

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Jason McShane, P.E.
Engineering & Operations Manager

Enc: Invoice

cc: LB\correspondence\File: [11-8-28]
Applicant via mail – ATTN: Jerritt Wiser, Badger Properties II, Coldwell Banker, 8836 Gage Blvd Suite 101b, Kennewick, WA 99336

2015 South Ely Street
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June 14, 2022

Michelle Cooke, Planning Manager
**Benton County Community Development Department - Planning Division**
PO Box 910
Prosser, WA 99350

Subject: Review Comments for Preliminary Plat for Cottonwood Creek Ph. 4 (SUB 2022-002)

Dear Ms. Cooke:

This letter provides Kennewick Irrigation District (KID) final review comments for Preliminary Plat for Cottonwood Creek Ph. 4 (SUB 2022-002) submitted by Jerritt Wiser with Badger Properties II ("Applicant")[1] to divide a 25.58-acre parcel into 13 lots. This letter supersedes the preliminary review comment letter dated May 25th, 2022. The property is generally located south of Wiser Road between Cottonwood Creek Boulevard and Badger Road in the South half of Section 11, Township 8 North, Range 28 East, W.M. The parent parcel(s) are listed as follows:

- Parcel #: 111883030000034 (25.58 **non-irrigable** acres)

The property identified on the proposed Preliminary plat is located within the boundaries of KID. The property within this Preliminary plat is not classified as irrigable land. Accordingly, KID provides the following comments to be included as required conditions of approval by the legislative authority under RCW 58.17.310(2):

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   a. *On all lots within the plat, dedicate to KID an irrigation easement 10 feet in width, or five (5) feet in width if adjacent to a utility easement, located along the road frontage or access easements of each lot. An irrigation easement may be included within the 'sidewalk and utility' easement if one is proposed, denoting the easement as a "Sidewalk, Utility, and Irrigation Easement."*

2) *KID asserts rights to recapture artificially stored groundwater within KID Boundaries, particularly within the Pasco Gravel units' groundwater aquifer. KID opposes the use of domestic wells drilled within the Badger Coulee shallow aquifer. KID is confident that its position regarding the artificially stored groundwater in the perched aquifer is supported by the facts and the law. A RH2 Engineering report titled, "Badger Coulee Recapture of Artificially-stored Project Water Report", clearly states that the Pasco Gravels is artificially stored water which KID asserts rights to recapture.*

[1] Reference to the "Applicant" throughout this comment letter shall refer to the property owner and/or developer of the proposed plat.

a. *KID understands the existing potable water distribution system well is drilled into the lower aquifer and does not impact the Badger Coulee shallow aquifer. Use of the existing well for domestic water is uncontested by KID.*

In addition, pursuant to RCW 58.17.310 (1), KID would like to inform the County of the following information regarding the effect of the proposed preliminary plat upon the structural integrity (including lateral support) of KID's facilities, other risk exposures, and the safety of the public and irrigation district, and related conditions of approval that KID deems to be necessary as a result:

3) *The East Badger ("West Fork Amon") Drain runs longitudinally through the subject property. It is the position of KID that (a) the East Badger Drain is not a water of the United States and is not within the jurisdiction of the Clean Water Act (CWA); and, alternatively, (b) the proposed construction of an engineered crossing in the East Badger Drain by a private developer is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.*
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        i. *It is the position of KID that the East Badger Drain is an irrigation ditch that is not a water of the United States. The East Badger Drain was constructed in the 1950s as a part of the drainage system for the Kennewick Division of the United States Bureau of Reclamation (Reclamation). Prior to the application of irrigation water to the lands in Badger Coulee, the presence of any water in what is now the East Badger Drain would have been ephemeral in nature and in response to a sustained and voluminous precipitation event, such as rain-on-snow. It was a dry wash in an arid desert that receives on average 7-inches of precipitation in a year. Today, to the extent that any flows are present in the East Badger Drain, they are KID irrigation return flows. Furthermore, even when some irrigation return flows are present in parts of the East Badger Drain during irrigation season, there are hydrological breaks in which surface water is not present. There is no direct connection to perennial waters located further downstream.*
        ii. *In their proposed revised definition of the "Waters of the United States", the U.S. Army Corps of Engineers and the Environmental Protection Agency (the "agencies") state the following:*

> *The preamble to the 1986 regulations explains that ''[n]on-tidal drainage and irrigation ditches excavated on dry land'' are generally not considered ''waters of the United States.'' 51 FR 41217. The agencies shifted this approach slightly in the Rapanos Guidance and explained that ''ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water are generally not waters of the United States.'' Rapanos Guidance at 11–12. The agencies explained that these features are generally not considered ''waters of the United States'' ''because they are not tributaries or they do not have a significant nexus to downstream traditional navigable waters.'' Id.*

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iii. *KID's approach to the East Badger Drain aligns with the agencies Rapanos guidance. The East Badger Drain is a ditch "excavated wholly in and draining only uplands and . . . do[es] not carry a relatively permanent flow of water. . .".*

b. *The Construction of an Engineered Crossing Does Not Convert the Use of the East Badger Drain*

i. *Even if the East Badger Drain were erroneously considered a water of the United States, the proposed construction of an engineered crossing in the East Badger Drain is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.*

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*Any discharge of dredged or fill material into the navigable waters incidental to any* ***activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject, where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced,*** *shall be required to have a permit under this section.*

*33 U.S.C. 1344(f)(2) (emphasis added).*

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*of an engineered crossing, it would be the increased reach of any irrigation return waters present in the drain.*

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> *A Legislative History of the Clean Water Act of 1977: A Continuation of the Legislative History of the Water Pollution Control Act, at 474 (1978).*

v. *The construction of an engineered crossing will not "convert extensive areas of water into dry land or impede circulation or reduce the reach or size" of any waters in the East Badger Drain.*

c. *Conclusion*

i. *The East Badger Drain is not a water of the United States subject to 404 permitting.*

ii. *In addition, standard maintenance and construction activities in and around irrigation ditches have and continue to be exempt from the Clean Water Act. Thus, even if the East Badger Drain was erroneously considered a water of the United States, the construction of an engineered crossing in an irrigation ditch such as East Badger Drain constitutes a standard construction activity that is not subject to the recapture provision of 33 U.S.C. 1344(f)(2).*

4) *KID requests the following in relation to the East Badger Drain:*

a. *KID review and approval of grading and construction plans is required to allow KID to ensure road crossings over the East Badger Drain maintain adequate flows. Such review and approval will be coordinated as part of the County's review and Preliminary Plat approval process.*

i. *The Storm Report submitted as a part of the preliminary plat recommends sizing the culverts for Road A based on the 25-year event. KID requests the developer design the crossing for the 100-year storm event.*

b. *Design considerations for proposed sanitary sewer infrastructure within this development shall include the potential for sewer effluent leakage and seepage into the East Badger Drain, and mitigation measures to prevent such.*

c. *The East Badger Drain is connected to waters of the United States. Mitigation to prevent storm water from entering the East Badger Drain from the subject development is required.*
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Finally, KID requests the following additional conditions of Preliminary Plat approval:

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   a. *A Preliminary Plat review fee (at the time of application, fee is **$175.00**).*
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   c. *Please call KID customer service at the number listed above to arrange for payment. Payment may be made by 1) check via mail, 2) check over the phone, 3) check placed in the KID drop-box, and 4) credit card over the phone (please note there is a 2.75% surcharge added to all credit card transactions).*

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7) *All subdivisions of land are required to be approved by the KID Board of Directors during a KID Board Meeting. KID Board Meetings are regularly scheduled on the first and third Tuesdays of each month. All conditions must be completed prior to submittal to KID for final approval. The submittal for final approval must be received by KID a minimum of one week prior to a regularly scheduled Board Meeting to be considered at that meeting. This change can potentially extend the approval process by a minimum of one week.*

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Jason McShane, P.E.
Engineering & Operations Manager

Enc: Invoice

cc: LB\correspondence\File: [11-8-28]
Applicant via mail – ATTN: Jerritt Wiser, Badger Properties II, Coldwell Banker, 8836 Gage Blvd Suite 101b, Kennewick, WA 99336

BENTON COUNTY WA

**PUBLIC WORKS DEPARTMENT**

**TO: PLANNING DEPARTMENT**

**FROM: CRISTINA WOODS**

**CC: DOUG D'HONDT**

**DATE: MAY 23, 2022**

**SUBJECT: COMMENTS – SEPA, EA 2022-015 COTTONWOOD PHASE 4**

---

The Badger Canyon area has seen substantial growth over the past several years and has potential for a significant number of new homes to be added. With each new home comes additional traffic on roads serving the area. Roads seeing the most impact in this area are Dallas Road, Badger Road, Sagebrush Road, Cottonwood Drive, Wiser Parkway, Bermuda Road and Reata Road. Certain intersections, such as Wiser Parkway and Badger Road are already seeing levels of service below County minimums during peak traffic times.

The Benton County Road Department has defined a geographic area bounded by Dallas Road on the west, the Kennewick Irrigation District main canal on the south and east and the City limits of Kennewick and Richland on the north as an area likely to contribute significant vehicles trips to impacted roads. This area will be defined on the Benton County GIS mapping system maintained for the Road Department. Within this area there is potential for over 800 new lots to be created based on estimated amounts of undeveloped land and current zoning. With an average daily trip generation of 9.57 for each single-family home there is potential to have an additional 7656 vehicle trips added to impacted roadways on full build out. The impacted roads in this area will be unable to accommodate this additional traffic without significant upgrades to the existing transportation system.

Within this area the County has identified multiple projects that will be needed in order to accommodate future traffic volumes. Projects range from simple shoulder and lane widening to the addition of dedicated turn lanes to the installation of roundabouts or traffic signals and construction of new collector roadways. The approximate cost of making the necessary improvements is estimated to be in excess of $3,000,000.

Without additional funding sources it is impossible for the County to make the necessary improvements. It is also unreasonable for the public to fund improvements driven by private development. Therefore, developers in this area must pay for the cost of the improvements demanded by their development. Since no single development in the area will be the sole contributor of traffic volumes that would create a nexus to require any

one improvement on its own it is most equitable to distribute the cost across all potential developments. Based on the anticipated number of lots potentially able to be created and the total cost of the necessary improvements a mitigation fee of three thousand five hundred dollars ($3,500) per lot created by any subdivision must be paid by the developer. The developer shall have the option of paying this fee up front as a condition of plat approval or adding a note to the final plat that indicates this fee will be due prior to the issuance of any building permit for lots within the subdivision.

The County shall use all mitigation fees collected for traffic capacity improvements that directly benefit the defined area only. Collected fees may be used to fund a project in its entirety or to leverage additional state or federal grant funds for the necessary improvements. The fees will not expire, and the County may bank fees in order to fund necessary projects.

**Storm water management**

The site plan for this subdivision shows a “20’ storm easement” within the proposed 60’ road right-of-way for Road A. The drainage easement shall be relocated outside of the road right-of-way. Provide engineered documentation and plans to support the location, size, and future stormwater flow impacts for this easement.

**PCH 1.21**

**2015 South Ely Street**
**Kennewick, WA 99337**
**Customer Service 509-586-9111**
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**FAX 509-586-7663**
**www.kid.org**

May 25, 2022

Donna Hutchinson
**Benton County Community Development Department**
P.O. Box 910
Prosser, WA 99350

Subject: Review Comments for EA 2022-015 Cottonwood Creek Ph 4

Dear Ms. Hutchinson:

The Kennewick Irrigation District has received your EA 2022-015 for the preliminary plat of Cottonwood Creek Phase 4 for a subdivision of 25.58 acres into 13 lots with an average lot size of 1.72 acres, submitted by Badger Properties II, c/o Coldwell Banker, 8836 Gage Blvd, Ste 101b, Kennewick, WA 99336.

1. These Parcels are within the Kennewick Irrigation District (KID) boundaries but are not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
2. Please note that permanent structures are not allowed within irrigation easements.
3. The East Badger ("West Fork Amon") Drain (Drain) runs longitudinally through the subject property. The Drain is an irrigation ditch that was constructed in the 1950s as a part of the drainage system for the Kennewick Division of the United States Bureau of Reclamation. KID requests the following in relation to the Drain:
   KID review and approval of grading and construction plans is required to allow KID to ensure road crossings over the Drain maintain adequate flows. Such review and approval will be coordinated as part of the County's review and Preliminary Plat approval process.
   The Storm Report submitted as a part of the preliminary plat recommends sizing the culverts for Road A based on the 25-year event. Based upon KID's current and future planned use of the drain in addition to stormwater flows collected in the drain, KID requests the developer design the crossing for the 100-year storm event.
   Design considerations for proposed sanitary sewer infrastructure within this development shall include the potential for sewer effluent leakage and seepage into the Drain, and mitigation measures to prevent such.
   The Drain is connected to waters of the United States. Mitigation to prevent storm water from entering the Drain from the subject development is required.
   Stormwater systems for the project shall be designed to retain, at minimum, a 100-year storm event above the Drain.

4. KID's Position on the East Badger Drain

It is the position of the Kennewick Irrigation District (KID) that (1) the East Badger ("West Fork Amon") Drain is not a water of the United States and is not within the jurisdiction of the Clean Water Act (CWA); and, alternatively, (2) the proposed construction of an engineered crossing in the East Badger Drain by a private developer is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.

***The East Badger Drain is Not a Water of the United States***

First, it is the position of KID that the East Badger Drain is an irrigation ditch that is not a water of the United States. The East Badger Drain was constructed in the 1950s as a part of the drainage system for the Kennewick Division of the United States Bureau of Reclamation (Reclamation). Prior to the application of irrigation water to the lands in Badger Coulee, the presence of any water in what is now the East Badger Drain would have been ephemeral in nature and in response to a sustained and voluminous precipitation event, such as rain-on-snow. It was a dry wash in an arid desert that receives on average 7 inches of precipitation in a year. Today, to the extent that any flows are present in the East Badger Drain, they are KID irrigation return flows. Furthermore, even when some irrigation return flows are present in parts of the East Badger Drain during irrigation season, there are hydrological breaks in which surface water is not present. There is no direct connection to perennial waters located further downstream.

In their proposed revised definition of the "Waters of the United States", the U.S. Army Corps of Engineers and the Environmental Protection Agency (the "agencies") state the following:

> *The preamble to the 1986 regulations explains that ''[n]on-tidal drainage and irrigation ditches excavated on dry land'' are generally not considered ''waters of the United States.'' 51 FR 41217. The agencies shifted this approach slightly in the Rapanos Guidance and explained that ''ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water are generally not waters of the United States.'' Rapanos Guidance at 11–12. The agencies explained that these features are generally not considered ''waters of the United States'' ''because they are not tributaries or they do not have a significant nexus to downstream traditional navigable waters.'' Id.*
>
> *The agencies intend to continue implementing the approach to ditches described in the Rapanos Guidance. This approach is more consistent with the relatively permanent standard than the approach in the preamble to the 1986 regulations. Consistent with previous practice, ditches constructed wholly in uplands and draining only uplands with ephemeral flow would generally not be considered ''waters of the United States."*

*Revised Definition of the "Waters of the United States",* 86 Fed. Reg. 69,433 (December 7, 2021). KID's approach to the East Badger Drain aligns with the agencies *Rapanos* guidance. The East Badger Drain is a ditch "excavated wholly in and draining only uplands and . . . do[es] not carry a relatively permanent flow of water. . ."

***The Construction of an Engineered Crossing Does Not Convert the Use of the East Badger Drain***

Second, even if the East Badger Drain were erroneously considered a water of the United States, the proposed construction of an engineered crossing in the East Badger Drain is exempt from 404 permitting as a construction activity in an irrigation ditch that will not cause a change in the use of the East Badger Drain.

As it is reflected in the *Joint Memorandum to the Field Between the U.S. Department of the Army, Corps of Engineers and the U.S. Environmental Protection Agency Concerning Exempt Construction or Maintenance of Irrigation Ditches and Exempt Maintenance of Drainage Ditches under Section 404 of the Clean Water Act* (July 24, 2020), 404(f) has a recapture provision that is designed to override the permitting exemptions in section 404(f)(1).

It states the following:

> Any discharge of dredged or fill material into the navigable waters incidental to any **activity having as its purpose bringing an area of the navigable waters into a use to which it was not previously subject**, **where the flow or circulation of navigable waters may be impaired or the reach of such waters be reduced**, shall be required to have a permit under this section.

33 U.S.C. 1344(f)(2) (emphasis added).

The construction of an engineered crossing will not be bringing an area of navigable waters into a use to which it was not previously subject. The East Badger Drain will remain a drain. Water, if present, will continue to flow through it. Furthermore, the flow of any waters present in the drain will not be impaired and the reach of those waters will not be reduced because of the construction of an engineered crossing. If anything results from the construction of an engineered crossing, it would be the increased reach of any irrigation return waters present in the drain.

The recapture provision in 404(f) is particularly concerned with the conversion of waters into dry land and the blockage of waters. Senator Muskie, one of the primary sponsors of the CWA, explained the scope and intention of the recapture provision:

> New subsection 404(f) provides that Federal permits will not be required for those narrowly defined activities that cause little or no adverse effects either individually or cumulatively. While it is understood that some of these activities may necessarily result in incidental filling and minor harm to aquatic resources, the exemptions do not apply to discharges that convert extensive areas of water into dry land or impede circulation or reduce the reach or size of the water body.

*A Legislative History of the Clean Water Act of 1977: A Continuation of the Legislative History of the Water Pollution Control Act,* at 474 (1978). The construction of an engineered crossing will not "convert extensive areas of water into dry land or impede circulation or reduce the reach or size" of any waters in the East Badger Drain.

**Conclusion**

The East Badger Drain is not a water of the United States subject to 404 permitting.

In addition, standard maintenance and construction activities in and around irrigation ditches have and continue to be exempt from the Clean Water Act. Thus, even if the East Badger Drain was erroneously considered a water of the United States, the construction of an engineered crossing in an irrigation ditch such as East Badger Drain constitutes a standard construction activity that is not subject to the recapture provision of 33 U.S.C. 1344(f)(2).

5. KID asserts rights to recapture artificially stored groundwater within KID Boundaries, particularly within the Pasco Gravel units' groundwater aquifer. KID opposes the use of domestic wells drilled within the Badger Coulee shallow aquifer. KID is confident that its position regarding the artificially stored groundwater in the perched aquifer is supported by the facts and the law. A RH2 Engineering report titled, "Badger Coulee Recapture of Artificially-stored Project Water Report", clearly states that the Pasco Gravels is artificially stored water which KID asserts rights to recapture.
    a. KID understands the existing potable water distribution system well is drilled into the lower aquifer and does not impact the Badger Coulee shallow aquifer. Use of the existing well for domestic water is uncontested by KID.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Chris D. Sittman
CAD Specialist

cc: LB\correspondence\File 11-08-28
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