



**KENNEWICK IRRIGATION DISTRICT
POLICY 4.3**

**DEVELOPER RISK MITIGATION Proposed Plats and Short Plats
within KID Boundaries**

It is the general policy of the Kennewick Irrigation District (KID) to approve plats and short plats subject to the following conditions:

- ~~1. The plat shall include dedicated irrigation rights of way, for the development and each lot in the development, of a size and in a location acceptable to the KID; and~~
- ~~2. The developer will construct an irrigation water distribution system completed to KID standards of design, materials and operation.~~

~~The rights of way and water distribution system shall include all reasonably necessary features to allow the KID to operate, maintain and replace the system, and shall include drainage systems and/or features that will carry excess water and/or flood waters from the distribution system and canal failures and/or breaches.~~

~~As an alternative to the foregoing, plat developers may agree with the KID to provide different but roughly proportionate means of protecting persons and property. This may include the lining or piping of canals where appropriate. In instances where the KID agrees that canals may be lined or piped as an alternative to providing drainage, the KID may negotiate a cost share or contribution to the expense of lining. Staff is authorized to negotiate a cost share not to exceed twenty five percent (25%) of the project cost. Any cost sharing in excess of those amounts must be approved by the KID Board.~~

~~Pursuant to RCW 58.17.310, whenever the Kennewick Irrigation District (KID) receives notice of application for approval of any plat or short plat of a subdivision that lies in whole or in part within KID's boundaries, KID will submit to the responsible administrator a statement with the following information and/or conditions for approval that KID deems to be necessary regarding the proposed plat or short plat upon the structural integrity, including lateral support, of KID's facilities, other risk exposures, and the safety of the public and irrigation district:~~

1. Information regarding hazards associated with irrigation system components

~~KID will include, if it deems appropriate, in its statement narrative describing hazards associated with irrigation system components, such as the following:~~

~~*Pursuant to RCW 58.17.310(1), the KID hereby informs the City of Kennewick and the Applicant that failure to mitigate the introduction of excessive water into the soils up-gradient of the canals may result in a canal embankment breach or failure. Should a canal*~~

embankment breach occur near this pProject, there is potential for public safety to be at risk. Mitigation measures requested in this statement are required to mitigate this risk.

2. Plat map(s) and text

KID will request as a condition of approval that the plat map(s) and text are acceptable to KID to (i) ensure that all KID system components and rights-of-way (ROWs) are clearly-labeled; (ii) prohibit grading with ROWs without an approved permit; (iii) include a note on the face of the plat, for each phase of the project that includes property within KID's boundaries, stating that the property is located within KID's boundaries and directing the reader to a web page that provides further information.

3. Easement and license requirements

1.1.3.1. KID will request as a condition of approval, the provision of irrigation water ROWs for each parcel of land within KID's boundaries, including easements for irrigation system components and for road frontages, as necessary, to provide water to the plat or short plat and/or to protect KID's facilities.

3.2. KID may request as a condition of approval completed irrigation water distribution facilities for any portion of the plat or short plat that lies within KID's boundaries classified as irrigable.

1.2.3.3. KID may request as a condition of approval that, for land within the plat or short plat that falls within ROWs to following: (i) require the applicant to deed such land to KID subject to a license under which the applicant agrees to construct and maintain fencing and landscaping; or (ii) require the applicant to place such land into separate tracts, convey such tracts to a homeowner's association or similar entity responsible for constructing and maintaining fencing and landscaping, and convey an easement over such land to KID with terms acceptable to KID.

3.4. KID will request as a condition of approval that all easements and licenses must include terms acceptable to KID as necessary to protect system components.

4. Conditions related to design, grading and construction

KID will request as a condition of approval the following:

1.3.4.1. All grading plans must be consistent with plans reviewed and approved by KID and the United States Bureau of Reclamation (USBR).

1.4.4.2. For each phase of the project, KID/USBR review and approval of construction plans is required and will be coordinated as part of the local review and approval process.

1.5.4.3. The inclusion of the design features for the protection of KID facilities, such as the following, to the extent that they are reasonably necessary as a direct result of the proposed plat or short plat:

4.3.1. Design and construction of street ROWs shall include all reasonably necessary features to allow KID to operate, maintain and replace the irrigation system and to direct excess water and/or flood waters to flow through the ROWs down gradient. As an alternative to the foregoing, applicants may agree with the KID to provide different but roughly proportionate means of protecting persons and property. This may include the lining or piping of canals where appropriate. In instances where the KID agrees that canals may be lined or piped as an alternative to providing drainage, the KID may negotiate a cost share or contribution to the expense of lining. Staff is authorized to negotiate a cost share not to exceed twenty-five percent (25%) of the project cost. Any cost sharing in excess of those amounts must be approved by the KID Board.

1.5.1.4.3.2. Stormwater systems shall be designed to minimize the introduction of water into the soils up-gradient of canals. KID/USBR review and approval of all stormwater plans is required prior to final plat approval.

1.6.4.4. The applicant must submit, for engineering review and approval by KID/USBR, engineering plans detailing construction and grading for each phase of the project adjacent to KID/USBR easements, ROWs and licenses, and for all future street crossings, prior to final plat approval.

1.7.4.5. The applicant must provide construction fencing and/or permanent fencing for the protection of KID facilities as requested by KID, with fencing locations and design as approved by KID.

1.8.4.6. The applicant must design the plat to minimize, to the maximum extent possible, future road crossings (e.g., through the elimination of one or more crossings and the limited use of cul-de-sacs).

1.9.4.7. Landscaping within KID ROWs shall comply with KID Policy 4.2 and its implementing procedure [or, shall comply with KID policies.]

4.8. No permanent structures are allowed within the USBR ROW.

4.10.4.9. Where roads or utilities cross existing KID facilities, the applicant must obtain a permit from KID and must include measures to minimize the risk of damage to such facilities, as approved by KID, such as the use of concrete caps and sleeves for utility crossings and the installation of all utilities below pipelines.

4.11.4.10. In the event that any KID facilities are damaged as a result of construction by the applicant, the applicant must repair such facilities to KID's then-existing standards.

4.12.4.11. KID staff must be provided access for site visits to ensure mitigation measures are correctly installed and maintained, subject to KID hourly inspector rates.

4.12. Any retaining walls must (i) be designed with at least 12 inches of freeboard to catch any erosion from the slope; and (ii) be filtered and have appropriately spaced weep holes to prevent hydrostatic pressure from building up behind the wall.

5. Conditions related to residential use

KID will request as a condition of approval the following:

5.1. The applicant shall include the potential failure of KID system components in its public offering statement for the plat pursuant to RCW 58.19.055(1)(r), which requires a public offering statement to include "[a] list of any physical hazards known to the developer which particularly affect the development or the immediate vicinity in which the development is located and which are not readily ascertainable by the purchaser"

5.2. The applicant shall post signs in appropriate areas within KID's easements and ROWs identifying KID's facilities (with locations and design approved by KID).

5.3. The applicant shall include terms of CC&Rs acceptable to KID regarding protection of KID system components after construction (e.g., specifying homeowner irrigation methods to minimize runoff onto KID system components).

4.13.5.4. No permanent structures are allowed within the USBR ROW.

5.5. In the event that any KID facilities are damaged as a result of residential use, the responsible landowner must repair such facilities to KID's then-existing standards.

6. Other conditions

KID will request as a condition of approval the following:

6.1. Review fees consistent with the current KID Board approved fee resolution will be due prior to final plat approval of each phase.

1.14. ~~A Preliminary Plat without water allotment review fee of \$175.00 is due prior to final plat approval of each phase.~~

~~A Preliminary Plat with water allotment review fee of \$825.00 is due prior to final plat approval of each phase.~~

1.15. ~~A Final Plat without water allotment review fee of \$125.00 is due prior to final plat approval for each phase.~~

~~A Final Plat with water allotment review fee of \$225.00 is due prior to final plat approval for each phase.~~

6.2. Include a signature block for KID approval on the final plat for each phase.

Date	Rev. #	Action	Signature
May 20, 2003	0	Initial Approval as Policy #82, Protection of District Facilities	John Pringle Board President
Apr. 3, 2007	0	Initial Approval as Policy 4.3, Developer Risk Mitigation	Ryan Pratt Board President
Dec. 9, 2009	0	Old Format Policy #82, Protection of District Facilities rescinded	Board Motion
	1	Revision, with title and format changes	 <hr/> Board President