

## Exhibit 4

**Anne Henning**

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**From:** Pentico, Eric D (DFW) <Eric.Pentico@dfw.wa.gov>  
**Sent:** Monday, January 4, 2021 10:00 AM  
**To:** Anne Henning  
**Subject:** RE: Notice of Application -Sand Hill Estates #3 Major Plat

Anne,

After review of the parcels that will be impacted by the proposed Sand Hill Estates #3 Major Plat, utilizing WDFW's Priority Habitats and Species Maps and aerial photos, it has been determined that the proposal will be constructed on land that has previously been converted and being utilized for agricultural purposes. Therefore, WDFW has no environmental concerns regarding this proposed development at the proposed location.

Eric

Eric Pentico

Washington Department of Fish and Wildlife

Habitat Biologist

Region 2 Office – Ephrata, WA

Office: (509) 754-4624 ext. 215

Cell : (509) 630-2729

Email : [eric.pentico@dfw.wa.gov](mailto:eric.pentico@dfw.wa.gov)

Work Schedule: Mon.-Thurs - 6:30 a.m to 8:00 a.m. email and cellular phone

8:00 a.m. - 5:00 p.m. office hours

## Exhibit 4



# United States Department of the Interior



BUREAU OF RECLAMATION  
Ephrata Field Office  
32 C Street NW  
Ephrata, WA 98823-0815

Jan 5, 2021

IN REPLY REFER TO:

EPH-2322  
2.2.3.19

RECEIVED BY

JAN 15 2021

OTHELLO BUILDING & PLANNING

Anne Henning, Director  
City of Othello Community Development  
500 E. Main Street  
Othello, WA 99344

Subject: Proposed Sand Hill Estates Major Plat Number 3 - Notice of Application, State  
Environmental Policy Act Determination of Non-Significance and Major Preliminary Plat

Dear Ms. Henning:

Thank you for the opportunity to review and comment on the subject proposal located north of Olympia Street, between 7th and 14th Avenues, in Farm Units 87 and 88 of Irrigation Block 45, Othello, Washington. This letter is in response to your request for comments, due February 1, 2021.

The Bureau of Reclamation currently has a surface irrigation facility, the EL68 Lateral on the eastern boundary of the proposed property site. The lateral is for diversion of irrigation water for the Columbia Basin Project (Project). The proponent should be aware of issues that could impact Project objectives.

Construction storm water or runoff of any type from a construction site or developed property should not enter any of Reclamation's lands or facilities at any time and must be contained on site. Surface water runoff resulting from construction activities can potentially enter Project facilities and adversely affect water quality. A General Construction Storm Water Permit from the Washington State Department of Ecology may be needed for any construction project one acre or greater in size. Construction should be conducted in a manner that minimizes adverse effects to the lands, operations, waters, facilities, and resources of the Project. Upon completion of construction activities, no connections to Project facilities will be allowed that would collect or discharge storm water or any other non-agricultural discharges.

Landowners should be aware of existing Reclamation and East Columbia Basin Irrigation District (ECBID) rights to construct, reconstruct, operate, and maintain Project facilities as necessary. Reclamation and ECBID must review and approve any work that will involve these facilities or the existing rights-of-way prior to commencing such work. Structures are prohibited from encroaching upon existing rights-of-way corridors without prior approval from Reclamation and ECBID. This includes, but is not limited to, temporary improvements such as on-site sewage disposal systems, drain fields, domestic wells, paving, fencing, and landscaping. It is important to note that Reclamation's concurrence to this proposal is conditioned upon the assurance that there are no encroachments upon Project facilities or rights-of-way.

Should the proponent develop the property with the intent of installing a well for public or private use, please be advised that such a well providing groundwater to the public will typically have a wellhead protection zone delineated on the development plans. Wellhead protection zones cannot overlap Reclamation rights-of-way or interfere with Project operations, since they would constrain the ECBID's

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IDAHO, MONTANA\*, OREGON\*, WASHINGTON

\* PARTIAL

## Exhibit 4

ability to apply aquatic and terrestrial herbicides needed to maintain Project facilities. The ECBID must be able to operate and maintain Project facilities in order to accomplish Project objectives.

The agricultural water that supports Farm Unit 87 and 88 in Block 45 must only be used for agricultural purposes that do not include the production of marijuana. The proposed project may render the proposed land ineligible for the agricultural water entitlement authorized by the Project. The proponent is advised to initiate discussions regarding the release of the agricultural water entitlement, by contacting the ECBID headquarters in Othello, Washington. The proponent would be relieved of the future obligations for payment of annual assessments to the ECBID for these acres if determined ineligible.

Generally, all survey data on the Bureau of Reclamation Farm Unit Maps pertaining to Reclamation facilities, associated rights-of-way, and Farm Unit boundaries within the area being subdivided must be included on the plat. The plat recorded with the county is considered the official Reclamation record. Our review of the preliminary plat indicates that the proponent has furnished this required information.

The following language will be required on the final plat prior to approval.

Bureau of Reclamation concurrence for this plat is limited to the extent of the plat's compliance with the requirements of RCW 58.17.310.

Drain Construction: Rising ground water tables are common in irrigation projects. Federal drain construction funds are not available for draining of subdivisions and other areas not in a commercial agriculture land use, unless such drainage is incidental to the required drainage of adjacent agricultural land and meets Federal technical and economic feasibility requirements.

This land is included within the East Columbia Basin Irrigation District and is subject to the laws of the United States and the State of Washington relative to the Columbia Basin Project and is liable for further assessments, if any, levied by said District. It is also understood and agreed that when this plat is served by County Roads, irrigable land within the Road right-of-way or isolated by said dedication will not become a charge assessable to Grant County and payable to the East Columbia Basin Irrigation District for construction, operation and maintenance of the Project.

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East Columbia Basin Irrigation District

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Bureau of Reclamation

### IRRIGATION APPROVAL:

Water Supply: Concurrence by the Bureau of Reclamation for this plat does not assure the availability of a water supply, nor does it bind the United States to issue a permanent right for a Federal water supply. A supply of Federal project water to this land is assured only upon full compliance with corollary Federal and State legislation.

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Bureau of Reclamation

Please ensure that all distances and bearings are shown exactly as displayed on the Bureau of Reclamation Farm Unit map for Reclamation facilities, associated rights-of-way, and farm unit boundaries.

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Reclamation's Plat for Farm Unit 87 and 88 in Block 45 is available on the Web at: <http://www.usbr.gov/pn/cca0/maps/farmunitmaps/index.html> under the heading of East Columbia Irrigation District, Block 45, Sheet 25 ("b01sh25.pdf").

Sheet 1 of 7:

- Please add the name of the facility (EL68 Lateral), Farm Unit data, and the width for the right-of-way.

Sheet 2 of 7:

- Please add the name of the facility (EL68 Lateral), Farm Unit data, and the width for the right-of-way.

Sheet 3 of 7:

- No errors spotted.

Sheet 4 of 7:

- No errors spotted.

Sheet 5 of 7:

- No errors spotted.

Sheet 6 of 7:

- Please add the name of the facility (EL68 Lateral), Farm Unit data, and the width for the right-of-way.

Sheet 7 of 7:

- No errors spotted.

If you have any questions or concerns, please contact Ms. Gina Hoff, Water Quality Specialist, at [ghoff@usbr.gov](mailto:ghoff@usbr.gov) or (509) 754-0254, Mr. Alex Rogers, Map Cartographer, at [agrogers@usbr.gov](mailto:agrogers@usbr.gov) or Mr. Gregory Bates, Acting Realty Supervisor, at [gbates@usbr.gov](mailto:gbates@usbr.gov) or (509) 754-0226. For the hearing impaired, please call the Federal Relay System at (800) 877-8339.

Sincerely,

**GREGORY BATES**

Digitally signed by GREGORY  
BATES  
Date: 2021.01.05 10:43:04 -08'00'

Gregory Bates  
Acting Realty Supervisor

cc: Mr. Craig Simpson, Secretary-Manager  
East Columbia Basin Irrigation District  
P.O. Box E  
Othello, WA 99344

## Exhibit 4

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Mr. Joshua A. Bagley  
H2 Surveying  
7600 N. Mineral Drive - Suite 900  
Coeur D'Alene, ID 83815

Angel Garza  
Palos Verdes LLC  
P.O. Box 464  
Othello, WA 99344



## Exhibit 4

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

January 13, 2021

Anne Henning  
Community Development Director  
City of Othello  
500 E Main Street  
Othello, WA 99344

In future correspondence please refer to:  
Project Tracking Code: 2021-01-00218  
Property: City of Othello\_Sand Hill Estates #3 Major Plat  
Re: Survey Requested

Dear Anne Henning:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.

These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Sydney Hanson' with a long, horizontal flourish extending to the right.

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



## Exhibit 4



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

January 13, 2021

Anne Henning  
Community Development Director  
City of Othello  
500 East Main Street  
Othello, WA 99334

Re: Sand Hill Estates #3 Major Plat

Dear Anne Henning:

Thank you for the opportunity to comment on the proposal to subdivide 17.5-acres into 60 lots in the R-1 and R-2 Residential Districts, construct a new street and extend three other streets (Proponent: Palos Verdes, LLC). The Department of Ecology (Ecology) has reviewed the documents and submits the following comments:

**Toxics Cleanup Program-Evelyn Cummings (509) 329-3492**

If the property has been historically used for agricultural purposes, then the applicant may need a site assessment to ensure that possible residues from agricultural chemicals do not pose a threat to human health and the environment.

For more information or technical assistance, please contact Evelyn Cummings at (509) 329-3492 or via email at [Evelyn.Cummings@ecy.wa.gov](mailto:Evelyn.Cummings@ecy.wa.gov).

**Water Quality Program-Shannon Adams (509) 329-3610**

Ecology requires the applicant to obtain a Construction Stormwater General Permit for the Sand Hill Estates #3 Major Plat project.

For more information or technical assistance regarding the requirements of a Construction Stormwater General Permit, please contact Shannon Adams at (509) 329-3610 or via email at [Shannon.Adams@ecy.wa.gov](mailto:Shannon.Adams@ecy.wa.gov).

**State Environmental Policy Act (SEPA)**

Ecology bases comments upon information submitted for review. As such, comments made do not constitute an exhaustive list of the various authorizations you may need to obtain, nor legal requirements you may need to fulfill in order to carry out the proposed action. Applicants should remain in touch with their Local Responsible Officials or Planners for additional guidance.

To receive more guidance on or to respond to the comments made by Ecology, please contact the appropriate staff listed above at the phone number or email provided.

Department of Ecology  
Eastern Regional Office  
(Ecology File: 202006534)

cc: Angel Garza, Palos Verdes, LLC

55 North 8th  
P.O. Box E

OTHELLO, WASHINGTON 99344

Phone 509 488 9671

Fax 509 488 6433

January 14, 2021

Anne Henning  
City of Othello  
500 E Main St  
Othello WA, 99344

RE: Sand Hill Estates #3 Major Plat (IB 45, FU 87 & 88)

Dear Ms. Henning:

Thank you for the opportunity to review the referenced short plat.

This property is within a Columbia Basin Project (CBP) farm unit, therefore, approval of the final short plat by the East District and the U.S. Bureau of Reclamation (Bureau) will be necessary pursuant to RCW 58.17.310. The property is currently entitled to receive Columbia Basin Project irrigation water and is obligated to pay East District irrigation assessments whether water is used or not. A release of allotment can be requested, and if approved, would relieve the property from future assessments.

After review, we have the following comments.

1. There is a \$300 short plat fee that must be paid prior to signing the final plat.
2. The note on Sheet 7 of 7 "This land is included..." should say "when this plat is served by city streets, irrigable land within the street right of way..."

Upon compliance with these comments the East Columbia Basin Irrigation District expects approval of this short plat. Please call if you have any questions or concerns.

Sincerely,



Robin Adolphsen  
District Engineer

RA

cc: Farm Unit File  
USBR  
H2 Surveying

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JAN 19 2021

OTHELLO BUILDING & PLANNING

## Exhibit 4



# MEMORANDUM

**To:** Community Development Director, Anne Henning

**From:** City Engineering, Curt J. Carpenter, LA

**Date:** January 19, 2021

**Re:** Preliminary Plat Comments – **Sand Hill Estates #3 Major Plat**

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The following are the preliminary plat comments from the Engineering Department for the Sand Hill Estates #3 Major Plat addressing the requirements of Othello Municipal Code (OMC) 16.17

1. Provide a printout of survey and all lot, block, and boundary closure calculations.
2. The dimensions listed on Sheet 2 for 7<sup>th</sup> on center line of Mt. Baker Street add up to 2,642.52 feet -vs- 2,642.51 most likely shown as rounding.
3. Provide the date of the preliminary survey on the plat.
4. The required minimum scales for the plat drawings are not verifiable with the non-submittal of paper copies.
5. Site Plan provided by preliminary construction plans submittal and accepted per Othello Municipal Code 16.17.030(b) (7)(P).
6. Right-Of-Way is shown at (60') sixty feet -vs- (66') sixty-six feet as required for neighborhood streets, per Othello Municipal Code 16.29.100. This requires an approved deviation process. Per Othello Municipal Code 16.17.050
7. The Right-Of-Way needs to transition, as it narrows parallel to curb, as curb will need transition as a taper to the next intersection. If the narrower Right-Of-Way is approved.
8. The dimensions listed on Sheet 3 for 7<sup>th</sup> (west boundary line) on center line of 7th Avenue add up to 288.02 feet -vs- 288.01 most likely shown as rounding.
9. Provide elevations for all monumentation.
10. The land surveyor shall set all monuments and stake all lot corners as shown on the final plat before the plat is submitted for final approval or before any building
11. permits will be issued. All property pins and monuments will be verified in the field upon submission of the final plat mylars.

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12. The surveyor must ensure when revisions are made to a sheet that those revisions are reflected on all sheets as appropriate.
13. Provide a plat certificate from a title company licensed to do business in the State of Washington dated within thirty (30) days of the date of filing of the plat and application with the Plat Administrator confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the subdivision plat or instrument of dedication.

c: Public Works Director, City Engineer, File

## Exhibit 4

### Anne Henning

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**From:** Gary Lebacken <glebacken@ACFD5.COM>  
**Sent:** Friday, January 22, 2021 11:07 AM  
**To:** Anne Henning  
**Subject:** RE: Notice of Application -Sand Hill Estates #3 Major Plat

Hydrant spacing and location to be approved by ACFD5. Lots shall not exceed 150' in depth from the curb line.

Gary Lebacken  
Fire Chief  
Adams County Fire District 5  
220 S. Broadway Othello, Wa. 99344  
509-488-2951  
glebacken@acfd5.com

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**From:** Anne Henning <ahenning@othellowa.gov>  
**Sent:** Wednesday, December 30, 2020 11:49 AM  
**To:** Tim Unruh <tunruh@othellowa.gov>; Shawn Obrien <sobrien@othellowa.gov>; Curt Carpenter <ccarpenter@othellowa.gov>; Terry Clements <tclements@othellowa.gov>; Dan Quick <dquick@othellowa.gov>; Jim Laird <jlaird@othellowa.gov>; Phil Schenck <pschenck@othellowa.gov>; Randy Gomez <rgomez@othellowa.gov>; Gary Lebacken <glebacken@ACFD5.COM>; Sherri Brewer (sherrib@co.adams.wa.us) <sherrib@co.adams.wa.us>; Sandy Burchell - Assessor's Office (sandyb@co.adams.wa.us) <sandyb@co.adams.wa.us>; Jacque Laird (jacquel@co.adams.wa.us) <jacquel@co.adams.wa.us>; Janet Bowman (janetb@co.adams.wa.us) <janetb@co.adams.wa.us>; Loren Wiltse (lorenw@co.adams.wa.us) <lorenw@co.adams.wa.us>; Andie Lorenz <andiel@co.adams.wa.us>; Scott Yeager (scotty@co.adams.wa.us) <scotty@co.adams.wa.us>; Todd O'Brien (toddo@co.adams.wa.us) <toddo@co.adams.wa.us>; Timm Taff (timmt@co.adams.wa.us) <timmt@co.adams.wa.us>; Ian Eccles (ian.eccles@avistacorp.com) <ian.eccles@avistacorp.com>; Mark Hay <mhay@bbec.org>; Big Bend Electric Cooperative (kmesserschmidt@bbec.org) <kmesserschmidt@bbec.org>; Eugene Biller <Eugene.Biller@vyvebb.com>; Marion Agbisit <Marion.Agbisit@vyvebb.com>; Chris Cook <Chris.Cook@vyvebb.com>; Sam Grant (sam.grant@cngc.com) <sam.grant@cngc.com>; Mears, Tobias <Tobias.Mears@centurylink.com>; Erik McVay - Century Link (erik.k.mcvay@centurylink.com) <erik.k.mcvay@centurylink.com>; Robin Adolphsen - East Columbia Basin Irrigation District (radolphsen@ecbid.org) <radolphsen@ecbid.org>; Lay, Clyde <clay@usbr.gov>; Jonathan Brooks - USBR (jwb Brooks@usbr.gov) <jwb Brooks@usbr.gov>; Alex Rogers (agrogers@usbr.gov) <agrogers@usbr.gov>; Stephen McFadden - Adams County Development Council (stephenm@co.adams.wa.us) <stephenm@co.adams.wa.us>; Janis Rountree (janis@growadamscounty.com) <janis@growadamscounty.com>; Chris Faix (chris@portofothello.com) <chris@portofothello.com>; (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; SEPA Register (SEPARegister@ecy.wa.gov) <SEPARegister@ecy.wa.gov>; Bill Gould (gouldw@wsdot.wa.gov) <gouldw@wsdot.wa.gov>; Eric Pentico (Eric.Pentico@dfw.wa.gov) <Eric.Pentico@dfw.wa.gov>; US Fish & Wildlife - Columbia National Wildlife Refuge (mcriver@fws.gov) <mcriver@fws.gov>; 'Guy.Moura@colvilletribes.com' <Guy.Moura@colvilletribes.com>; Robert Sloma - Confederated Tribes of the Colville Reservation (Robert.Sloma@colvilletribes.com) <Robert.Sloma@colvilletribes.com>; Patrick Baird (keithb@nezperce.org) <keithb@nezperce.org>; Randy Abrahamson (randya@spokanetribe.com) <randya@spokanetribe.com>; (rbuck@gcpud.org) <rbuck@gcpud.org>; Johnson (johnson@yakama.com) <johnson@yakama.com>; Kate Valdez (kate@yakama.com) <kate@yakama.com>  
**Subject:** Notice of Application -Sand Hill Estates #3 Major Plat

## Notice of Development Application & Public Hearing