



October 7, 2019

Todd Whipple
Whipple Consulting Engineers
21 S. Pines
Spokane Valley, WA 99206

Note: the letter was
incorrectly dated
Oct. 7, 2019. The
correct date was
November 7, 2019

Subject: Review of Fullscale Drywell Test and Borehole Plan Set at Painted Hills site

Dear Mr. Whipple:

This letter is intended to clarify the status of the drywell test request submitted to the City on October 4, 2019.

Significantly, the City is in the midst of environmental review for the Painted Hills PRD project. The City continues to await a revised draft of the Draft Environmental Impact Statement so that the same may be publicly issued to agencies and other concerned persons. As indicated in the September 19, 2019, Painted Hills EIS Review letter to Mr. Read Stapleton, the EIS process must be completed prior to any local project approvals or other determinations. This includes project-level review of the Painted Hills PRD/subdivision and project-level review of the CLOMR for submittal to FEMA.

With that in mind, we note that your request to complete two drywell installations and portions of a drainage pond exceeds allowable SEPA exemptions. Thus, it is subject to environmental review, which you have not addressed in either the draft of the DEIS or in any other environmental submittals. Further, while considered as an acceptable testing method pursuant to the Spokane Regional Stormwater Manual, the work associated with the tests appears to be equivalent to construction of a portion of the PRD project, since the constructed drywells would be left in place pending the outcome of environmental review and project review. Pursuant to WAC 197-11-060(3)(b), proposals or parts of proposals that are related to each other to be, in effect, a single course of action shall be evaluated in the same environmental document. Given that a SEPA determination of significance has been made for the PRD project, it appears premature to construct a portion of the project at this time, particularly where the purpose, impacts, and mitigation of the testing work may be a topic addressed within the environmental review process itself.

Alternatively, if you wish to conduct the proposed testing at this time as a preliminary study that does not include permanent facilities, please prepare an environmental checklist for the same, including identification of any appropriate mitigation measures. (See WAC 197-11-070(4)). You will also need to ensure that any such testing is done in compliance with applicable state

and local regulations, including, but not limited to, any applicable floodplain development permitting.

Finally, we would like to highlight again that at this point, the critical action for this proposal is completion of a suitable draft environmental impact statement so that the same may be accepted by the City and publicly issued for comment.

Respectfully,



Lori Barlow, AICP
Senior Planner

Cc: Bryan Walker, Black Realty Inc.
John Hohman, Deputy City Manager
Henry Allen, PE, Senior Engineer
Erik Lamb, Assistant City Attorney