

Affidavit of Mailing

I, Ardele Steele, being first duly sworn, and as an employee of the City of Zillah, I dispatched through the United States Mails, a notice of proposal, DNS environmental review in response to a SEPA application on the Comprehensive Water Plan, and SEPA Checklist File No.: ER 2014-19 & CPA 2014-20 by the City of Zillah Planning Department, a true and correct copy of which is enclosed here-with; and that said Notice was addressed to parties of record, that said parties are individually listed on the Mailing list retained (attached) by the Planning Department and that said notices were mailed by me on the 15th day of September, 2014.

That I mailed said notice in the manner set forth and that all of the statements are made herein are just and true. Dated this 15th day of September, 2014.

A handwritten signature in cursive script, appearing to read 'Ardele Steele', is written over a horizontal line.

Ardele Steele, Associate City Planner

To: Toppenish Review
From: City of Zillah
Dates: September 9, 2014
Email: tmitzel@yvpub.com

*****Please do not publish above this line*****

**CITY OF ZILLAH
PLANNING DEPARTMENT
NOTICE OF APPLICATIONS, ENVIRONMENTAL REVIEW, & PUBLIC HEARINGS
Water Use Efficiency Program (WUE) - Goals and plan &
FILE NOS.: ER 2014-19& CPA 2014-20 (CWP)**

NOTICE OF APPLICATIONS, COMPLETENESS, & PROPOSAL

On September 2, 2014, the City of Zillah submitted a Environmental checklist and a Comprehensive Plan Amendment application for processing. City of Zillah is proposing to update its Comprehensive Water Plan which includes the Water Use Efficiency (WUE) Program in Chapter 4 of the CWP. These documents are being adopted to allow the City of Zillah to comply with state law. The Comprehensive Water System Plan outlines the current and future impacts as well as the future upgrades to the City of Zillah's water system. Information on this proposal can be obtained on the city website <http://www.cityofzillah.us/Projects%20under%20Review.html> and at Zillah City Hall located at 503 First Ave., Zillah, Washington 98953. These applications were deemed complete for further processing on September 9, 2014.

ENVIRONMENTAL REVIEW

The City of Zillah, as lead agency for this proposal, has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The Draft Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for at least 15 days from the date of issuance. This decision was made after a careful review of the completed environmental checklist, the Comprehensive Water System Plan and other information on file with the lead agency. This information is available to the public on request and can be examined in our offices during regular business hours, 8:00 am – 4:30 pm.

REQUEST FOR WRITTEN COMMENTS

Your views on this proposal are welcome. You may provide written comments concerning the impacts of this proposal during the 15-day comment period which ends at **4:00 p.m. on October 6, 2014**. All written comments will be considered prior to issuing a recommendation and final decision. The applications and other information on file with the City of Zillah are available to the public upon request. Please submit your comments in writing to the City of Zillah, P.O. Box 475, Zillah, Washington 98953. Be sure to reference **Water Use Efficiency (WUE) Program and/or File Nos. ER 2014-19& CPA 2014-20**.

NOTICE OF PUBLIC HEARINGS

An **Open Record Public Hearing** on both of these projects is scheduled before the Zillah Planning Commission on **October 21, 2014 at 7:00 p.m. or sometime thereabouts** in the Zillah Council Chambers, 111 7th Street, Zillah, WA 98953. All members of the public are welcome to attend this meeting and offer testimony regarding the proposal. At the close of the hearing, the Planning Commission may issue a recommendation on these applications.

A **Closed Record Public Hearing** on both of these projects is scheduled before the Zillah City Council on **November 3, 2014 at 7:00 p.m. or sometime thereabouts** in the Zillah Council Chambers, 111 7th Street, Zillah, WA 98953. All members of the public are welcome to attend this meeting and offer testimony regarding the proposal. At the close of the hearing, the Zillah City Council may issue a final decision on these applications.

If you have any questions about this issue, please call Ardele Steele at (509) 829-5151. /s/ Sharon Bounds, City Clerk/Treasurer, dated this 18th day of September, 2014



*****Please do not publish below this line*****

**Publish: TOPPENISH REVIEW INDEPENDENT
September 18, 2014
(One Time)
Legal**

**ATTN: PLEASE CALL AND CONFIRM RECEIVING THIS
NOTICE. THANK YOU.**

**Contact Person: Ardele Steele
City of Zillah
509-829-5151**

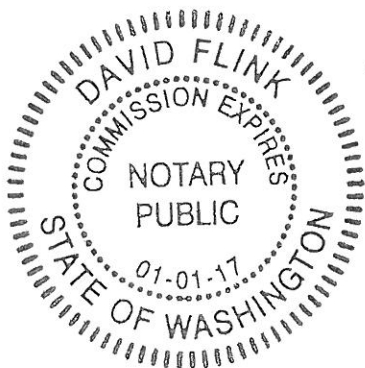
AFFIDAVIT of Publication

STATE OF WASHINGTON)
) SS
County of Yakima)

I, Tammy Mitze, being first
duly sworn, on oath say: I am the **Bookkeeper** of the RE-
VIEW - INDEPENDENT, a weekly newspaper published
at Toppenish, Yakima County, State of Washington, official
newspaper of said towns, and of general circulation in said
town, county and state and that the City of Zillah
Planning Dept. (WUE) Program

copy of which is hereto attached, was published for
one consecutive weeks in the regular edition
of said paper, and not a supplement thereof; the first
publication of which was made on the 18 day of
September, 2014, and the last publication on
the 18 day of September, 2014,
and that the said newspaper has been established, pub-
lished and circulated continuously as a weekly newspaper
in said town, county and state for more than six months
prior to the date of the first publication herein referred to,
and that said newspaper during said time has been and now
is printed in the English language, and that the fees for
said publication amount to \$ 131.75, and have
been paid in full.

Tammy Mitze



Subscribed and sworn to
me before this 19 day
of September,
2014.

[Signature]

Notary Public for
Washington, residing at
Yakima, Washington.

My commission expires:

01-01-17

**CITY OF ZILLAH
PLANNING DEPARTMENT
NOTICE OF APPLICATIONS,
ENVIRONMENTAL REVIEW, &
PUBLIC HEARINGS
Water Use Efficiency Program
(WUE) - Goals and plan &
FILE NOS.: ER 2014-19&
CPA 2014-20 (CWP)
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COMPLETENESS, &
PROPOSAL**

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and at Zillah City Hall located at 503 First Ave., Zillah, Washington 98953. These applications were deemed complete for further processing on September 9, 2014.

ENVIRONMENTAL REVIEW

The City of Zillah, as lead agency for this proposal, has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). The Draft Determination of Non-Significance (DNS) is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for at least 15 days from the date of issuance. This decision was made after a careful review of the completed environmental checklist, the Comprehensive Water System Plan and other information on file with the lead agency. This information is available to the public on request and can be examined in our offices during regular business hours, 8:00 am - 4:30 pm.

**REQUEST FOR WRITTEN
COMMENTS**

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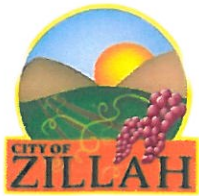
If you have any questions about this issue, please call Ardele Steele at (509) 829-5151. /s/ Sharon Bounds, City Clerk/Treasurer, dated this 18th day of September, 2014 Legal #508.

Published in the Review-Independent on September 18, 2014.

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SB

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The City Of Zillah

THE HEART OF WINE COUNTRY

DATE: October 13, 2014

TO: Interested Agencies and Interested Parties

FROM: Ardele Steele, Planning Official / SEPA Responsible Official *AS*

SUBJ: File No. ER 2014-19& CPA 2014-20 (CWP) - City of Zillah 2014 Comprehensive Water Plan Water Use Efficiency Program (WUE) - Goals and plan
Notice of Decision on Environmental Review – FINAL Determination of Non-Significance

Description of Proposal

On September 2, 2014, the City of Zillah submitted an Environmental checklist and a Comprehensive Plan Amendment application for processing. City of Zillah is proposing to update its Comprehensive Water Plan which includes the Water Use Efficiency (WUE) Program in Chapter 4 of the CWP. These documents are being adopted to allow the City of Zillah to comply with state law. The Comprehensive Water System Plan outlines the current and future impacts as well as the future upgrades to the City of Zillah's water system. These applications were deemed complete for further processing on September 9, 2014.

Location: City of Zillah

Environmental Review and Determination:

The City of Zillah, as lead agency for this proposal, has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under *RCW 43.21C.030(2)(c)*. The Determination of non-significance (DNS) was issued under WAC 197-11-340(2).


Comment and Appeal Information

The comment period on the environmental impacts of this proposal was between **September 18th** and **October 6, 2014**. *There is no further comment period for this DNS.* Notice of the Planning Commission recommendation on the Plan and regulation changes will be sent to those who commented, or may be obtained upon request. There is no administrative appeal of the final threshold determination.

For information on the comment process, or on other issues relating to this proposal, please contact Ardele Steele, Associate Planner at 509-829-5151.

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SS

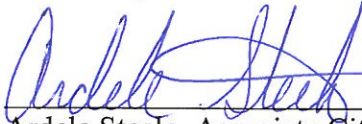
FINAL DETERMINATION OF NON-SIGNIFICANCE

1. **Description of Proposal:** City of Zillah is proposing to update its Comprehensive Water Plan. These documents are being adopted to allow the City of Zillah to comply with state law. Information on this project can be obtained in our offices.
2. **Proponent:** City of Zillah
503 First Avenue
P.O. Box 475
Zillah, WA 98953
3. **Location of Proposal:** City of Zillah, Urban Growth/Service Area
4. **Lead Agency:** City of Zillah
5. **File Number:** ER 2014-19
6. **Determination:**
The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a careful review of the completed environmental checklist, and other information on file with the lead agency. This information is available to the public on request and can be examined in our offices during regular business hours.
7. **Comment Period:** This DNS was issued under WAC 197-11-340(2). The comment period on the environmental impacts of this proposal was between **September 18th and October 6, 2014**. There is no further comment for this DNS. There is no administrative appeal of the final threshold determination. For information on the comment process, or on other issues relating to this proposal, contact Ardele Steele, Associate Planner at 509-829-5151.
8. **SEPA Responsible Official:** 
Ardele Steele, AICP
9. **Position/Title:** SEPA Responsible Official
10. **Address:** 503 First Avenue
P.O. Box 475
Zillah, WA 98953
11. **Date:** October 14, 2014

Affidavit of Mailing

I, Ardele Steele, being first duly sworn, and as an employee of the City of Zillah, I dispatched through the United States Mails, a Notice of Decision and Final DNS in response to a SEPA application on the Comprehensive Water Plan for File No.: ER 2014-19 & CPA 2014-20 by the City of Zillah Planning Department, a true and correct copy of which is enclosed here-with; and that said Notice was addressed to parties of record, that said parties are individually listed on the Mailing list retained (attached) by the Planning Department and that said notices were mailed by me on the 14th day of October, 2014.

That I mailed said notice in the manner set forth and that all of the statements are made herein are just and true. Dated this 14th day of October, 2014.



Ardele Steele, Associate City Planner

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SEPA Register &
Environmental Review Section
Washington State D.O.E.
separegister@ecy.wa.gov

Lori Brady
Sunnyside Valley Irrigation District
P.O. Box 239
Sunnyside, WA 98944

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SEP 29 2014



BY: 
September 17, 2014

City of Zillah
P.O. Box 475
Zillah, WA 98953

Re: File No. **ER 2014-19 & CPA 2014-20 - Water Use Efficiency Program (WUE)**
Parcels: **Various within Yakima County**
Landowners: **Various**
Proponent: **Yakima County**

Greetings:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comments:

1. SVID does have irrigation and drainage facilities, including but not limited to, 14.17, 15.28, 16.82, DR 15, JD 14.6, and the Zillah Spill, within City of Zillah. The location of these facilities may hinder future development. Please contact the District for specific details, requirements, and location of facilities.
2. Runoff and/or crossings into or across any SVID facility will not be allowed unless it is approved through the permitting process.
3. Buildings will not be allowed within SVID easements or right-of-way.
4. Obstructions will not be allowed within SVID easements or right-of-way without permits.
5. Storm drainage will not be allowed to discharge into SVID drains without permits.
6. Access for plats and/or subdivisions will not be allowed on SVID operation and maintenance roads.

Thank you for the opportunity to comment on this proposed project. If you have any questions, please feel free to contact Tinker Kouyian at (509) 837-6980 or Kouyiant@SVID.org.

Sincerely,



Ron C. Cowin, P.E.
Assistant Manager – Engineering



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

September 22, 2014

RECEIVED
SEP 24 2014

BY: AS

Tom Tilley
City of Zillah
PO Box 475
Zillah WA 98953-0475

Re: Water Right No. G4-29702P

Dear Mr. Tilley:

In response to the city's request, an extension is hereby granted to put the water to full beneficial use for the reason(s) below:

As described in the Huibregtse, Louman Associates letter of August 19, 2014, and the draft City of Zillah Water system Plan (August 2014), you have shown good cause and due diligence by:

- Taking steps to address the deficiencies in the 3rd Avenue Well (S02) and restore it to its full capacity
- Taking steps to upgrade and repair the WIPPCU Well (S03) to ensure reliable water production.

The new deadline to submit your *Proof of Appropriation of Water* is **July 31, 2021**.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Tom Tilley
City of Zillah
September 22, 2014
Page 2 of 2

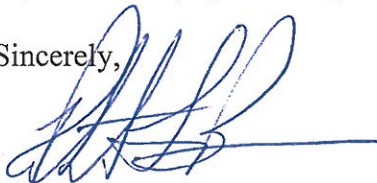
ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW Ste 301 Tumwater WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>
To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,



Robert F. Barwin
Acting Section Manager
Water Resources Program

RFB:DH:HD
140911

Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard

By certified mail: 7010 0290 0000 7131 2443



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

RECEIVED

SEP 24 2014

BY: 

September 23, 2014

Tim Tilley
City of Zillah
PO Box 475
Zillah WA 98953-0475

Bryan Sayers
Department of Health
16201 East Indiana Avenue, Suite 1500
Spokane Valley WA 99216-2836

Subject: City of Zillah Water System Plan Draft Review

Thank you for the opportunity to review the draft Water System Plan (WSP) for the City of Zillah. Based on my review:

- The WSP is “not inconsistent” with an approved watershed plan adopted under 90.82 RCW or 90.54 RCW.
- Ecology has granted an extension to your water right number G4-29702P. With this extension, the City of Zillah is compliant with its existing water rights.

Please contact me if you have any questions at (509) 457-7112.

Sincerely,



David Holland, Environmental Planner
Department of Ecology, Central Regional Office

DH:HD
140910