WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Nile Creek-Matson Barrier Removal and Trust Water Project

2. Name of applicant:
North Yakima Conservation District (NYCD)

3. Address and phone number of applicant and contact person:
Mike Tobin, NYCD Manager
1606 Perry Street, Suite C
Yakima, WA 98902
(509) 454-5736 X122
mike-tobin@conservewa.net

4. Date checklist prepared:
May 24, 2010

5. Agency requesting checklist:
WDFW

6. Proposed timing or schedule (including phasing, if applicable):
July-October 2010, In-water work from August 15-August 31

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The landowner will construct a pond to contain their irrigation water as a separate project. The proposed pipeline in this project will deliver water to this pond, which will be constructed and permitted separately.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

BIOLOGICAL ASSESSMENT FOR USFWS SPECIES
4d LIMIT 8 CERTIFICATION FORM FOR NMFS SPECIES
CULTURAL RESOURCES SURVEY AND REPORT
JARPA FOR AQUATIC PERMITS AND AUTHORIZATIONS

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.

None known

10. List any government approvals or permits that will be needed for your proposal, if known.

ESA SECTION 7 CONSULTATION FROM USFWS AND NMFS
NHPA SECTION 106 CONSULTATION FROM SHPO AND THPO
CWA SECTION 404 FROM US ARMY CORPS OF ENGINEERS
CWA SECTION 401 FROM ECOLOGY
HPA FROM WDFW
SHORELINE, CAO, AND FLOODPLAIN AUTHORIZATIONS FROM YAKIMA COUNTY
POINT OF DIVERSION CHANGE FROM ECOLOGY
TRUST WATER APPROVAL FROM ECOLOGY
FRANCHISE AGREEMENT FROM YAKIMA COUNTY

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 project, located on Nile Creek and the Naches River, includes the removal of an unscreened gravity irrigation diversion in Nile Creek that is a partial fish passage barrier, moving the point of diversion for the Nile Creek water right to the Naches River, installing a pump and fish screen for the new Naches River point of diversion, and piping the water to the place of use/irrigation pond for further water savings and more water placed in trust for conveyance water savings. About 3.75 CFS will be placed into trust for Nile Creek and approximately 3,000 feet of pipeline will be constructed.

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.

- Located near the confluence of Nile Creek with the Naches River, Yakima County
- WRIA 38
- Intersection of Nile Road and Clover Springs Road Naches, WA 98937-8902
- Parcel Numbers: 15163314001, 15163313001, 15163313001, 15163311003
- Section 33, Township 16 N, Range 15 E

- 46.838° N; -120.957° W

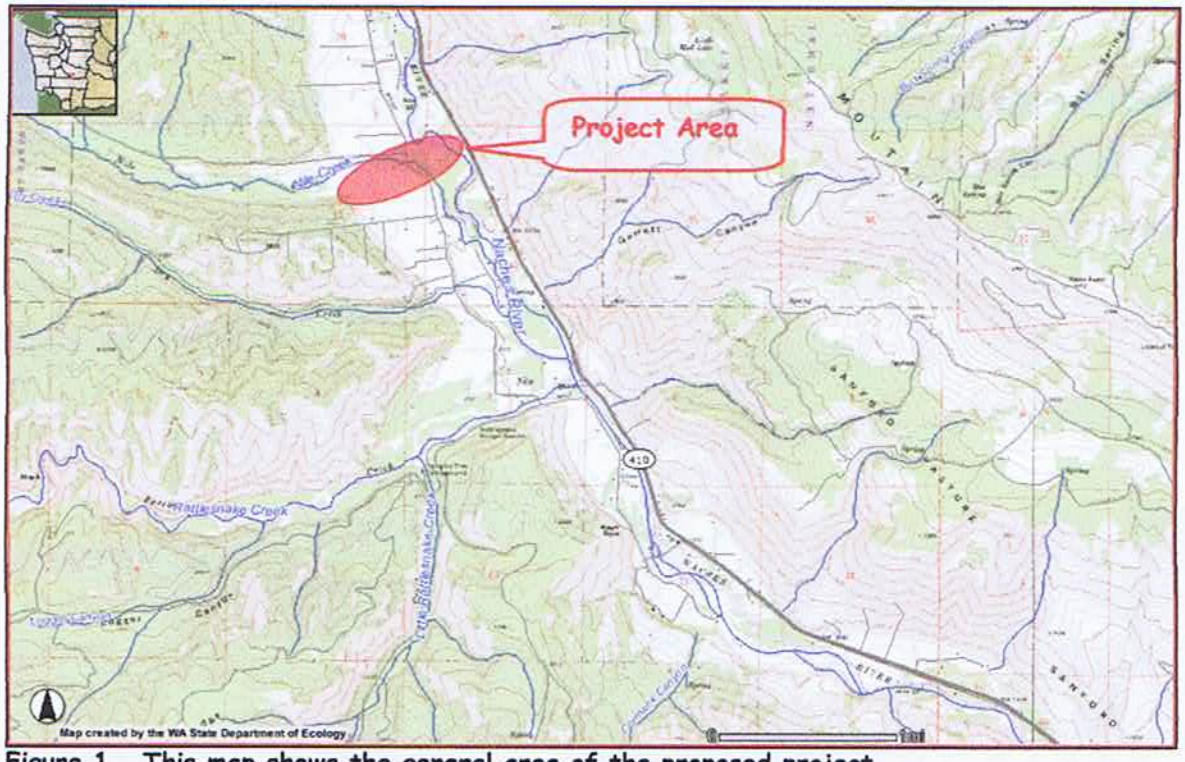

Figure 1. This map shows the general area of the proposed project.

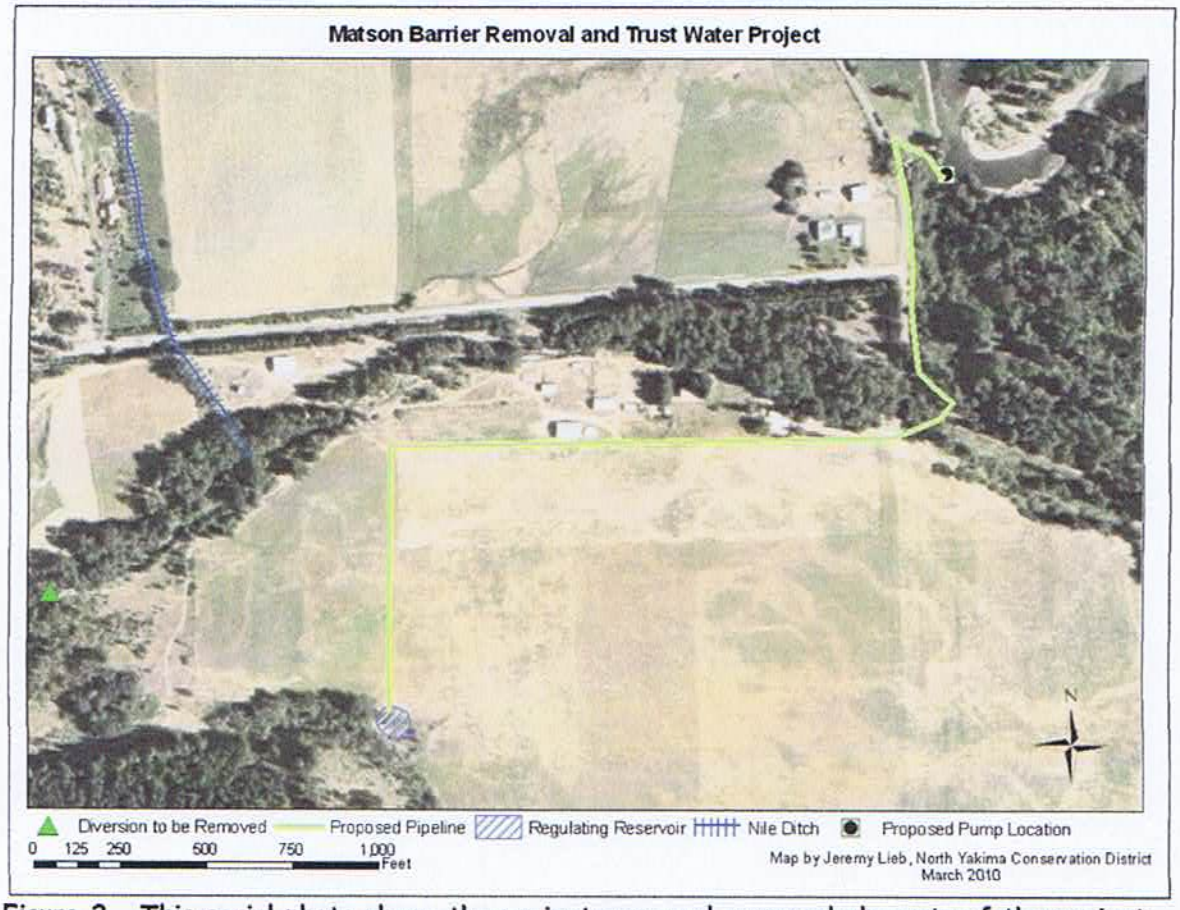

Figure 2. This aerial photo shows the project area and proposed elements of the project.

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . . .
The project area is generally flat, bordered by steeper hills to the west.

b. What is the steepest slope on the site (approximate percent slope)?
5 % maximum on the outskirts of the project area.

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 prime farmland.
Wenas silt loam, Weirman sandy loam-channeled, Cleman very fine sandy loam ~ These can be considered prime farmland when irrigated and drained; as is the case for this property.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
There will be minor excavation associated with removal of the existing diversion. About 25 feet of pipeline will be exposed, removed, and native material will be replaced in the trench to existing grade.
The pipeline trench will be excavated along the route designated in Figure 2 to a depth of about 4 feet. Pea gravel will be placed in the bottom of the trench to bed the new pipe and native material will be used to fill the remaining trench.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
There may be minor erosion associated with the diversion removal, as it is located in the creek bank with little riparian vegetation. Erosion is unlikely to occur with the other proposed aspects of the project.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
Less than 1% will be impervious surfaces. The 4' x 4' concrete pad atop the existing dike is the only impervious surface proposed. The pad will anchor the boom for the screen and provide an even surface for the pump.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Disturbance will be minimized in all project locations such that existing vegetation is not disturbed or removed as much as possible. The diversion will be removed during low flows and immediately revegetated with native plants to provide bank stability. Short term erosion control such as straw mulch will be used at this site as well.

2. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
There will be emissions from equipment and vehicles accessing the project site during project implementation as well as dust associated with construction.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
None known

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

Vehicles and equipment will be kept in good working order and turned off when not in use. A water truck may be used to control dust during pipeline trenching if necessary. Upon completion of this project, there will be no additional emissions to the air associated with this project.

3. Water

a. Surface:

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.

Yes, Nile Creek and the Naches River are parts of the proposed project. Nile Creek is a tributary to the Naches River, which is a tributary to the Yakima River.

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.

Yes, the diversion pipe will be removed from the bank of Nile Creek and the pump station will be placed immediately adjacent to the Naches River where the pump screen will be placed in the Naches River. Parts of the pipeline will be within 200 feet of either waterbody.

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.

Less than 7 cubic yards of material will be excavated from the bank of Nile Creek to remove the gravity diversion pipe. The trench will be backfilled with native material and replanted to suitable native vegetation to stabilize the banks.

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

All surface water diversions on Nile Creek will be abandoned and the water rights will be placed in the Trust Water Program to benefit aquatic species. The water rights will be moved to the Naches River, where the pump station will divert water and pipe it to the place of use. The water right is 3.75 cfs or 1016 acre-feet.

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

Yes, much of the proposed project is within the 100 year floodplain of either Nile Creek or the Naches River.

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:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

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.

Accidental spills of petroleum products during construction are the only potential discharges anticipated that would impact ground water. However, spill prevention techniques, containment of accidental spills, and other best management practices will reduce the risk of ground and surface water contamination.

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.

Precipitation during implementation would be the main source of stormwater runoff. There will be very little disturbance adjacent to water bodies so most stormwater runoff will be able to dissipate over land, prior to turbid water entering Nile Creek or the Naches River. Native plants will be planted along the disturbed area of Nile Creek and there will be no riparian grubbing associated with the pump station on the Naches River.

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

During construction, accidental spills of materials and fuels are a possibility. However, spill prevention techniques, containment of accidental spills, and other best management practices will reduce the risk of ground and surface water contamination.

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

Work will occur during the normally dry summer months, when flows are low in the creeks and rivers. This will reduce the chances that a storm event will increase stormwater that may ultimately flow into the surface waters. Best management practices will be applied throughout construction to minimize disturbance and turbidity caused by runoff.

4. Plants

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

X_____ deciduous tree: alder, maple, aspen, other

_____ evergreen tree: fir, cedar, pine, other

X_____ shrubs

X_____ grass

_____ pasture

X_____ crop or grain

_____ 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?

There will be some grasses disturbed and with removal of the diversion on Nile Creek. The pipeline will also disturb some pasture type grasses.

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

Ute Ladies'-tresses is not known to occur in Yakima County and there will be very little disturbance in wetland type areas where it is known to inhabit.

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

Native vegetation will be planted along the bank of Nile Creek where the diversion pipe is removed. This will help stabilize the bank as well as provide overhead and instream cover. There may be some native plantings near the proposed pump site on the Naches River, based on site conditions at the time of construction. Native vegetation will help stabilize nearby erosion. Overall, disturbance will be minimized as much as possible.

5. Animals

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

birds: hawk, heron, eagle, songbirds, other-owls:
mammals: deer, bear, elk, beaver, other-coyote, small mammals:
fish: bass, salmon, trout, herring, shellfish, other-cyprinids, sculpin, suckers:

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

Middle Columbia River Steelhead
Columbia River Bull Trout
Northern Spotted Owl

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

Yes, the land is part of the winter range for ungulates and Nile Creek and the Naches River provide habitat for migratory salmonids, including steelhead, coho salmon, Chinook salmon, rainbow trout, cutthroat trout and bull trout. Migratory song birds also likely use the riparian areas during their migrations.

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

Instream and riparian disturbance will be minimal to discountable and riparian vegetation will replace the unscreened gravity irrigation diversion in Nile Creek and that water right will remain instream to benefit migratory salmonids. Upland disturbance will only occur in previously disturbed areas with little to no native woody vegetation.

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.

New electricity services will power the pumping station along the Naches River. Existing electricity services will power the pump station from the pond to the places of use.

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:

The generator and pump will be sized appropriately to conserve power.

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.

The use of petroleum based fuels and lubricants may be used for equipment operation during construction. Accidental spills and/or ignition of these materials are a possibility. Using best management practices will

reduce risks associated with project implementation. The gas/diesel powered generator near the Naches River will be portable such that it can be removed from the dike near the river during times of high flood risks.

1) Describe special emergency services that might be required.

If there were a chemical spill, the Washington Department of Ecology might need to respond. The Yakima County Sheriff's Department and/or fire districts would need to respond to any emergencies that might occur on site during implementation.

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

Safety practices required by federal, state, and local regulations will apply to all construction activities. The portable generator will be removed from the dike on the Naches River during flood events such that petroleum products and other harmful materials/metals do not enter the Naches River.

b. Noise

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

Noise from traffic and routine farm practices exists in the project area, but it will not affect the proposal.

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.

The pump and generator on the Naches River will generate noise above the baseline, although it is adjacent to Nile Road; which currently serves as the detour route for Highway 410. Pumping would occur during the irrigation season, mostly during daylight hours.

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

The pump and generator will be sized appropriately such that they do not need to run longer than necessary to provide the adjudicated water right.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties?

The property has recently been converted from irrigated hay production to an irrigated cherry orchard. Surrounding properties are also in irrigated hay and/or pasture production with rural residences.

b. Has the site been used for agriculture? If so, describe.

Yes, the site has previously been used for hay production and some livestock grazing. It has recently been converted mostly to a cherry orchard.

c. Describe any structures on the site.

Nile road crosses between the pump site and the place of use, so the pipeline will have to cross Nile Creek on the existing bridge and then be bored underneath Nile Road in order to reach the place of use. The pump station will be located atop an existing dike. On Nile Creek, a pipe extends into the creek for the gravity diversion which then delivers to a pond with a pump system for the landowner's irrigation system. There are houses and a barn nearby as well as fencing and a driveway/access road.

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

About 20 feet of the existing pipe that serves as the gravity diversion will be removed and capped. Native material will backfill the trench and the disturbed areas will be replanted with native vegetation.

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

Mountain Rural, Remote/Extremely Limited

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

Rural Self-Sufficient, Rural Remote/Limited Development, Forest Resource

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

Naches River—Rural designation

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Both Nile Creek and the Naches River are habitat to species listed on the Endangered Species List and the surrounding properties provide critical overwintering habitat for elk and deer as well as several other species. The riparian wetlands associated with each surface water are also sensitive areas that will be protected.

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

There will be no change to the number of people who work or reside near the project.

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

Zero, not applicable

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

Not applicable

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

The proposed project will conform with all planning and environmental regulations for the area. The proposal is consistent with maintaining the agricultural interests in the Nile Valley.

9. Housing

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

Not applicable

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

Not applicable

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

Not applicable

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 boom for the pump screen will be about 10 feet tall and swivel from the dike to reaching out over the Naches River.

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

Not applicable

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

The project footprint has been minimized as much as possible. The pump station will consist of a portable generator and pump that can be removed as needed. The boom and pump screen were sized appropriately for the water right.

11. **Light and glare**

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

There may be minimal glare that comes off of the boom and fish screen during daylight hours.

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

Glare from the fish screen and boom may be visible from Nile Road/Highway 410 detour, but the small size of the structures and surrounding vegetation make it unlikely that it would interfere with views.

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

Lights from automobiles traveling on the road produce light as do residential lights nearby, but none will affect the proposal.

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

The fish screen and boom were sized appropriately to meet the water right and they will be placed along the river and near riparian vegetation to reduce impacts from glare.

12. **Recreation**

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

Fishing and boating occur in the Naches River. The upper Nile Watershed is within public ownership and open to many recreational groups.

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:

Not applicable, but the screen is proposed for a back-eddy area accessed by private property such that only authorized people will be near it and it is not likely to be used by recreational boaters.

13. **Historic and cultural preservation**

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None are known, but the area of potential effect (APE) will be surveyed by a qualified archaeologist and the NHPA Section 106 consultation will occur prior to construction.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known within the project area. In October 2009, the Nile landslide occurred, blocking Highway 410 which resulted in Nile Road being used as the detour route.

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

Measures will be taken as determined in the NHPA Section 106 consultation process.

14. **Transportation**

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

The project occurs near Nile Road and Clover Springs Road.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No, public transit is more than 10 miles from the site.

c. How many parking spaces would the completed project have? How many would the project eliminate?

Not applicable

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

No, but the proposed pipeline will attach to the Nile Road Bridge crossing Nile Creek and the pipeline will be bored under Nile Road. The design is such that there should be little to no impact to Nile Road.

e. Will the project 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? If known, indicate when peak volumes would occur.

Routine operation and maintenance of the screen will occur by the landowner/irrigator to ensure the screen is deployed appropriately and is functioning as designed.

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

Not applicable

15. **Public services**

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

No

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

Not applicable

16. **Utilities**

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

There are rural services available to the nearby homes including electricity, refuse service, phone, septic systems, and wells.

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.

The necessary services are already available nearby. Electricity will be supplied to the new pump station.

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: Michael J. Lim

Date Submitted: 5/24/10