



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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February 11, 2014

Lisa Wood, SEPA/NEPA Coordinator  
WA State Department of Fish and Wildlife  
Regulatory Services Section  
600 Capital Way North  
Olympia, WA 98501-1091

Dear Ms. Wood:

Thank you for the opportunity to comment on the determination of nonsignificance for the Clear Lake Access Improvement-Toilets project (No. 14-006) located at the WA State Department of Fish and Wildlife (WDFW) Clear Lake Public Access Site as proposed by Chris Gourley, WDFW. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**FLOODPLAINS MANAGEMENT: Donovan Gray (360) 407-7253**

The proposal may lie within a 100-year floodplain. Work in a 100-year floodplain requires a floodplain development permit. The proponent must ensure that neighboring properties remain reasonably safe from flooding. New and replacement water supply and sanitary sewage systems must be designed to eliminate or minimize infiltration of flood waters and discharges to flood waters. A habitat assessment may be required per the National Fisheries Marine Service/Federal Emergency Management Agency (NFMS/FEMA) Biological Opinion.

**SHORELANDS & ENVIRONMENTAL ASSISTANCE:  
Alex Callender (360) 407-6167**

A substantial development may be required for portions of the project that are within 200 feet of the Ordinary High Water Mark and meet the Substantial Development dollar threshold.

**TOXICS CLEANUP: Mohsen Kourehdar (360) 407-6256**

If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Mohsen Kourehdar with the SWRO, Toxic Cleanup Program at the phone number given above.

**SEPA REVIEWER: Sonia Mendoza**

**WATER QUALITY CONTACT: Deborah Cornett (360) 407-7269**

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Proper disposal of construction debris must be on land in such a manner that debris cannot enter water of the state (e.g., Clear Lake) and stormdrains draining to waters of the state or cause water quality degradation of state waters.

This project may require a construction stormwater permit (also known as National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit for Stormwater Discharges Associated with Construction). This permit is required for projects which meet both of the following conditions:

1. One or more acres of soil surface area will be disturbed by construction activities.
2. The site already has offsite discharge to waters of the state or stormdrains or will have offsite discharge during construction.

An application with instructions can be downloaded from Ecology's website at:

<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> - [Application](#). Construction site operators must apply for a permit at least 60 days prior to discharging stormwater.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(SM:14-0399)

cc: Alex Callender, SEA  
Deborah Cornett, WQ  
Donovan Gray, SEA  
Josh Klimek, HQ/WQ  
Mohsen Kourehdar, TCP  
Chris Gourley, WDFW (Proponent)