



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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February 20, 2020

Lisa Wood, SEPA/NEPA Coordinator  
WA Department of Fish and Wildlife (WDFW)  
600 Capitol Way North  
Olympia, WA 98501

Dear Lisa Wood:

Thank you for the opportunity to comment on the determination of nonsignificance (DNS) for the Eells Springs Hatchery Redevelopment, Phase 3 Project (DNS 20-008). The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**TOXICS CLEANUP PROGRAM: Nicholas Acklam, Unit Supervisor**  
**(360) 407-6347 | [nicholas.acklam@ecy.wa.gov](mailto:nicholas.acklam@ecy.wa.gov)**

The proposed project is located at a toxic cleanup site where hazardous substances have been released to the environment. The cleanup of this toxic cleanup site is regulated under the Washington Model Toxics Control Act (MTCA), Chapter 70.105D RCW, and implementing regulations contained in Chapter 173-340 WAC.

The site has been designated by Ecology as Cleanup Site ID 13185; Facility Site ID 43714292. The cleanup site is currently enrolled in the Voluntary Cleanup Program [VCP] no. SW1570 and cleanup is ongoing. The Ecology Site Manager for this site is Tim Mullin, available via 360-407-6265.

Ecology recommends that pollution in the environment be cleaned up in compliance with WAC 173-340 prior to the construction of the proposed Eells Springs Hatchery Redevelopment, Phase 3 to ensure the protection of human and health and the environment. For this independent cleanup conducted under WAC 173-340-515, the cleanup would be complete when a no further action opinion letter is issued for toxic cleanup site under WAC 173-340-515(5)(b).

**WATER QUALITY/WATERSHED RESOURCES UNIT:**  
**Chris Montague-Breakwell (360) 407-6364**

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

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.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
  - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
  - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
  - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted.

You may apply online or obtain an application 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 from construction activities and must submit it on or before the date of the first public notice.

**SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287**

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials.

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.

Lisa Wood  
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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

(MLD: 202000710)

cc: Nicholas Acklam, TCP  
Chris Montague-Breakwell, WQ  
Derek Rockett, SWM  
Larry Peck, WDFW (Contact)