



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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January 29, 2021

Lisa Wood, SEPA/NEPA Coordinator  
Washington State Department of Fish and Wildlife  
Habitat Program  
P.O. Box 43200  
Olympia, WA 98504

Dear Lisa Wood:

Thank you for the opportunity to comment on the determination of nonsignificance for the Mineral Prospecting Hydraulic Code Rule Changes (DNS 20-059). The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**TOXICS CLEANUP: Evelyn Cummings (509) 329-3492**

This site contains, or may contain, contamination, such as petroleum, agricultural, or otherwise. The applicant must report any releases of contamination, occurring or discovered, to Ecology. Cleanup of petroleum contaminated soils must be in accordance with guidelines set forth by Ecology in [Publication 10-09-057 Guidance for Remediation of Petroleum Contaminated Sites \(Department of Ecology, June, 2016\)](#), and in [Chapter 173-340 WAC](#). This guidance applies whether or not the contamination originated from an underground storage tank release.

If the property has been historically used for agricultural purposes, then the applicant may need a site assessment to ensure that possible residues from agricultural chemicals do not pose a threat to human health and the environment.

For more information or technical assistance, please contact Evelyn Cummings at (509) 329-3492 or via email at [Evelyn.Cummings@ecy.wa.gov](mailto:Evelyn.Cummings@ecy.wa.gov).

**WATER QUALITY: Diana Washington (509) 329-3519**

The DNS “prohibits motorized or gravity siphon aquatic mining or discharge of effluent from such activity to any waters of the state that has been designated under the Endangered Species Act as critical habitat, or would impact critical habitat for salmon, steelhead, or bull trout, including all fresh waters with designated uses of: salmonid spawning, rearing, and migration.” Ecology recommends the inclusion of a sentence indicating that discharge to other waters of the state may require an NPDES permit.

For more information or technical assistance, please contact Diana Washington at (509) 329-3519 or via email at [Diana.Washington@ecy.wa.gov](mailto:Diana.Washington@ecy.wa.gov).

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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

(GMP:202006329)

cc: Evelyn Cummings, TCP  
Diana Washington, WQ  
Theresa Nation, WDFW (Proponent)