



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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January 19, 2012

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HABITAT PROGRAM

Bob Zeigler, SEPA Coordinator  
Department of Fish & Wildlife  
600 Capital Way North  
Olympia, WA 98501-1091

Re: Rattlesnake Creek Side Channel Restoration

Dear Mr. Zeigler:

Thank you for the opportunity to comment on the determination of nonsignificance for the Rattlesnake Creek Side Channel Restoration project. We have reviewed the documents and have the following comments.

**Shorelands/Environmental Assistance**

It is not clear from the documents provided how much of the side channel will need to be excavated for final adjustment of water flows, etc. A JARPA form should accompany a request to Ecology for 401 water quality review/certification of the project. Ecology's SEA Program looks forward to working with the applicant through the 401 process. Please contact Catherine Reed at (509) 575-2616 for assistance.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact Catherine Reed at (509) 575-2616.

**Water Quality**

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a



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minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Bryan Neet at the Dept. of Ecology, (509) 575-2808, with questions about this permit.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by storm water runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.

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

Best management practices must be used to prevent any sediment, oil, gas or other pollutants from entering surface or ground water.

If you have any questions or would like to respond to the Water Quality comments, please contact Bryan Neet at (509) 575-2808.

Sincerely,



Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012