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U.S. Department of Homeland Security
United States Coast Guard

Commanding Officer
United States Coast Guard
Shore Infrastructure Logistics Center

1301 Clay Street, Suite 700N
Oakland, CA 94612-5203
Staff Symbol: SILC-EMD (det)
Phone: (571) 607-1062
Email: Dean.J.Amundson@uscg.mil

5090

November 7, 2024

Loree Randall
Federal Consistency Coordinator
Washington State Department of Ecology
310 Maple Park Ave., Southeast
Olympia, WA 98504

tpuc461@ECY.WA.GOV

Dear Ms. Randall:

In accordance with the Coastal Zone Management Act (CZMA), the U.S. Coast Guard (Coast Guard) is submitting the attached federal consistency determination for the proposed expansion and modernization of Base Seattle, and respectfully requests your concurrence with the Coast Guards' determination that the proposed action would be consistent to the maximum extent practicable with the enforceable policies of the Washington Coastal Zone Management Program (CZMP).

The CZMA requires federal agencies to carry out their activities in a manner consistent to the maximum extent practicable with enforceable policies of approved state CZMPs (15 Code of Federal Regulations [CFR] § 930.30). The Shoreline Management Act of 1972 (SMA; Revised Code of Washington [RCW] 90.58) is the basis of Washington's CZMP. Lands owned or leased by the federal government are excluded from the coastal zone per 15 CFR § 923.33(a); however, part (b) of this section obligates federal agencies to comply with consistency provisions when federal actions on excluded lands have spillover impacts that affect any land or water use or natural resource of the coastal zone within the purview of a state's CZMP.

The draft consistency determination previously provided to Ecology at the time the Draft PEIS was published identified Alternative 1 as the Coast Guard's Preferred Alternative. Based on public comments on the Draft PEIS, the Coast Guard conducted additional technical analysis, in particular regarding potential socioeconomic impacts, that provided greater detail about the context and intensity of potential environmental impacts. While the significant findings remained consistent, the additional analysis determined that the magnitude of socioeconomic impacts are largely dependent upon the amount of acreage that is acquired. As such, acquiring fewer acres of land under Alternative 1 would have comparable or lesser long-term socioeconomic impacts compared to Alternatives 2 or 3.

Alternative 1 is also the environmentally preferable alternative as it would avoid or minimize impacts to biological, visual, and cultural resources due to the lack of need to construct additional new berth(s). Finally, Alternative 1 would enable the Coast Guard to more quickly achieve the purpose of the proposed action as two existing berths would be acquired and available for Coast

Guard use. Consequently, Alternative 1 remains the Coast Guard's preferred alternative in the Final PEIS and is the action evaluated in the attached consistency determination.

The Coast Guard is seeking your review of the consistency determination and concurrence that the proposed action is consistent to the maximum extent practicable with the enforceable policies of the Washington CZMP. Please let me know if you have any questions and we look forward to your response.

Sincerely,

Digitally signed by
AMUNDSON.DEAN.JAY.1274011862
Date: 2024.11.07 14:53:11 -08'00'

Dean Amundson
USCG SILC
Environmental Planning Program Manager
By Direction of the Commanding Officer

Encl 1: Coastal Zone Management Act Consistency Determination submitted by the U.S. Coast Guard for Actions Related to the Expansion and Modernization of U.S. Coast Guard Base Seattle, City of Seattle, Washington

COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION

Submitted by the U.S. Coast Guard

For Actions Related to the

Expansion and Modernization of U.S. Coast Guard Base Seattle City of Seattle, Washington

October 2024

Contents

Figures

Attachment A

Best Management Practices

1. Introduction and Project Description

The following section provides an introduction to this Coastal Consistency Determination, background on the U.S. Coast Guard Base Seattle Expansion and Modernization Project (Project), and a description of the proposed Project, including expansion and modernization actions, permit conditions and controls, and best management practices (BMP) proposed as part of the Project.

1.1 Introduction

The Coastal Zone Management Act (CZMA) of 1972, as amended, directs coastal states to identify key resources and develop policies to manage their coastal areas. The CZMA further requires federal agencies to carry out their activities in a manner consistent to the maximum extent practicable with enforceable policies of approved state Coastal Zone Management (CZM) Programs (15 Code of Federal Regulations [CFR] 930.30). The Shoreline Management Act of 1972 (SMA; Revised Code of Washington [RCW] 90.58) is the basis of Washington's CZM Program. The Washington Department of Ecology (Ecology) is responsible for establishment of the CZM Program and review of federal actions for consistency with the CZM Program.

Although 15 CFR §923.33(a) specifically excludes lands owned or leased by the federal government from the coastal zone, part (b) of this section obligates federal agencies to comply with consistency provisions:

> *"The exclusion of Federal lands does not remove Federal agencies from the obligation of complying with the consistency provisions of section 307 of the Act when Federal actions on these excluded lands have spillover impacts that affect any land or water use or natural resource of the coastal zone within the purview of a state's management program."*

In addition, the U.S. Coast Guard (Coast Guard) implements its responsibilities under the CZMA pursuant to Commandant Instruction (COMDTINST) M16004.2A. The COMDTINST M16004.2A defines a Coast Guard development project as "an activity that involves: (1) the planning, construction, modification, or removal of public work facilities or other structures within the coastal zone or outside the coastal zone if the activity results in any spillover impacts that affect any land or water use or natural resource of the coastal zone within the purview of a State's management program; and, (2) includes the acquisition, use or disposal of any coastal use or resource."

The Coast Guard has plans for expansion and modernization of Coast Guard Base Seattle (Base Seattle) and determined that the proposed Project would include property acquisitions within the coastal zone and subsequent site development that would have effects that extend beyond federal government property to the coastal zone ("spillover" effects). Because the Project's effects will extend beyond federal government property to the coastal zone, a determination of consistency with the Washington CZM Program is required. This determination of consistency with the Washington CZM Program is based on review of applicable sections of the State of Washington's SMA, Water Pollution Control Act (WPCA), and Clean Air Act. The expansion and modernization efforts are activities undertaken by a federal agency; the following constitutes a federal consistency determination with the enforceable policies of the Washington CZM Program. *It is important for this consistency determination to note that the first stage in the Coast Guard's proposed action is to acquire additional land for modernization of the Base. As such, all subsequent projects the Coast Guard proposes to undertake, as described below, would occur on federally-owned or federally-controlled lands. The consistency analysis that follows therefore considers only the potential effects of these projects on the adjacent coastal zone.*

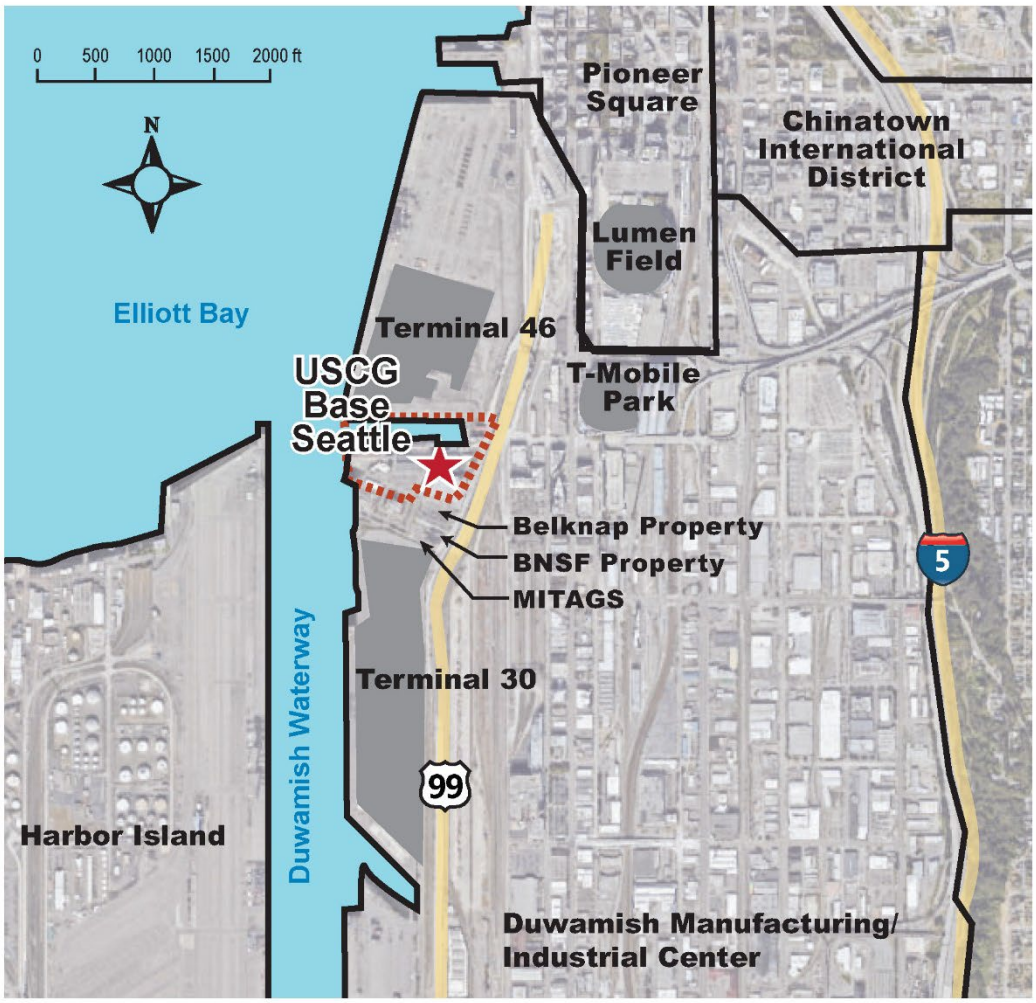
For the purposes of this consistency determination, the Coast Guard has broken out the analysis by the key elements of the proposed Project, where appropriate. Several key elements are expected to take place in the near term such as land acquisition and expanded parking and flexible use space. Other key elements would occur in the future after detailed design and construction plans have been developed, such as

building demolition, rehabilitation/renovation, and construction and renovation of Terminal 46 This document outlines the BMPs and other conditions that would be implemented to ensure consistency with the CZMA enforceable policies.

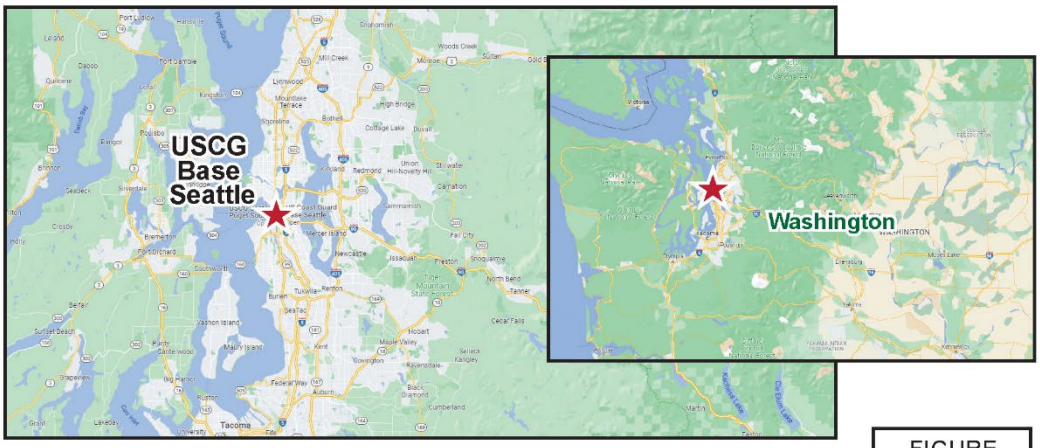
1.2 Project Background

Base Seattle is the largest Coast Guard installation in the Pacific Northwest and is essential to support Coast Guard missions in the Pacific Northwest and Polar regions, now and for the foreseeable future. Base Seattle—federally owned land under the jurisdiction of the Coast Guard—is located south of downtown Seattle on a highly constrained site with little room for growth or expansion (see Figure 1). Base Seattle is bounded by the Duwamish Waterway to the west and properties owned primarily by the Port of Seattle, including Terminal 46 to the north, Terminal 30 to the south, and the Belknap and Maritime Institute of Technology and Graduate Studies (MITAGS) properties, both Port-owned, immediately to the east (see Figure 2). The Northwest Seaport Alliance manages marine cargo-related properties for most of the Port of Seattle, including Terminals 46 and 30. The Coast Guard currently leases the Belknap property from the Port to help meet existing shortfalls for material laydown and government vehicle parking. Burlington Northern Santa Fe (BNSF) Railway owns a small rail spur located between the Belknap and MITAGS properties. The Coast Guard owns submerged lands within Slip 36 at Base Seattle and the State of Washington owns most other submerged lands in the area, including the Duwamish Waterway. Jack Perry Memorial Park, a 1-acre park with 120 linear feet of public shoreline access, borders Base Seattle to the south and will not be directly impacted by the Project.

Figure 1. Base Seattle Location Map



Source: City of Seattle 2020



Base Seattle Location Map

FIGURE 1

Figure 2. Base Seattle and Surroundings

Existing Facilities

1. Base Admin
2. Exchange
3. Industrial Shops and Gym
4. CG Sector Puget Sound
5. Museum
6. UPH / Galley
7. Warehouse
10. ANT-Seattle shops
12. Magazine
14. Hazmat Pharmacy
19. Security Gate / Access Gate
20. Secondary Access Point

Site Map

FIGURE 2

Current constraints on the Base Seattle property limit the Coast Guard's ability to comply with the Unified Facilities Criteria (UFC), hinder operations, and do not allow for programmed mission growth. The UFC defines planning, design, construction, sustainment, restoration, and modernization criteria requirements. Additionally, substantial existing deficiencies with facilities and infrastructure at Base Seattle hamper the efficient execution of Coast Guard missions. The Project will provide facility enhancements necessary to support current and future operations of major cutters homeported at Base Seattle; specifically, the planned homeporting of new ice breakers and possibly other major cutters, which would require infrastructure enhancements and renovations. These enhancements and renovations will serve to accommodate more vessels of larger sizes and the shoreside facilities requirements associated with these advanced operating assets.

1.2.1 Proposed Expansion and Modernization

The Coast Guard proposes to acquire adjacent property and implement improvements to facilities and infrastructure at Base Seattle, over the next 10 to 20 years, to address current deficiencies associated with age, general deterioration, and inadequacy to support modern Coast Guard mission execution. In addition, the Coast Guard intends to improve Base resiliency to earthquakes and other natural disasters, strengthen physical security, and ensure Base Seattle has adequate and appropriate facilities to support continued and future homeporting of Coast Guard vessels. Physical improvements are required to ensure that Base Seattle can provide a full range of mission and personnel support, as the main mission support unit for the District 13 and Polar areas of operation (AOR) now and moving forward.

The Coast Guard is currently finalizing a Programmatic Environmental Impact Statement (PEIS) pursuant to the National Environmental Policy Act (NEPA) for the proposed expansion and modernization but has not yet issued a Record of Decision (ROD) with a final alternative selected. Specific details on the exact amount of land proposed to be acquired will be necessarily defined during negotiations with the Port of Seattle following issuance of a ROD. This is a 20-year program that will be implemented over time. As future planned expansion and modernization projects are funded and designed, additional environmental compliance, including NEPA, Clean Water Act (CWA), and CZMA, among others, would be conducted, as necessary. The Project description included in this document is based on the Coast Guard's Preferred Alternative, designated within the PEIS as Alternative 1.

Detailed design and construction plans for waterside and most shoreside infrastructure associated with future stages of the Project have not yet been established; nevertheless, the Coast Guard is committed to implementing BMPs (Section 1.2.3) that will guide infrastructure design and implementation and ensure consistency with enforceable policies of the Washington CZM Program. Furthermore, the Coast Guard is committed to complying with conditions of all required permits and approvals (Section 1.2.2) issued in support of the Project (e.g., CWA Section 404 permit, CWA Section 401 Water Quality Certification, Endangered Species Act, Migratory Bird Treaty Act) to further ensure consistency with the enforceable policies of the Washington CZM Program.

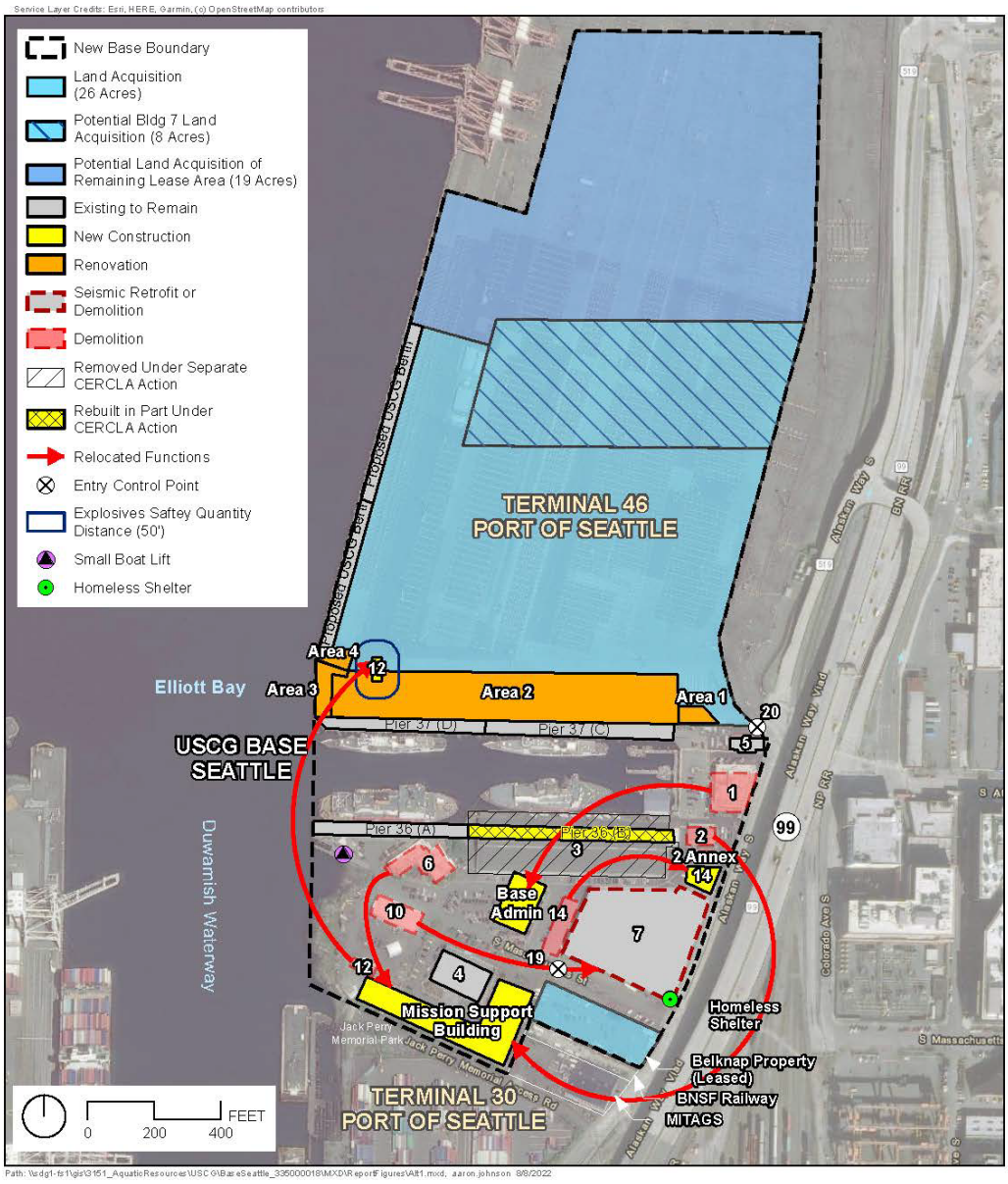
Land Acquisition

The Project includes the potential acquisition of property and infrastructure improvements on both the existing Base and any acquired properties (see Figure 3). Under the Preferred Alternative, approximately 27 to 54 acres of land would be acquired, including the following:

- Belknap property from the Port of Seattle – 1.1 acres
- Terminal 46 from the Port of Seattle – between 26 and 53 acres

The current 17-acre, short-term lease that the Coast Guard has with the Port of Seattle on Terminal 46 would be within the potential acquisition area. The Coast Guard's minimum requirement for land at Terminal 46 is 26 acres.

Figure 3. Project Elements



Existing Facilities	3. Industrial Shops and Gym	6. UPH / Galley	12. Magazine
1. Base Admin	4. CG Sector Puget Sound	7. Warehouse	14.Hazmat Pharmacy
2. Exchange	5. Museum	10. ANT-Seattle shops	19. Security Gate / Access Gate

20. Secondary Access Point

Alternative 1: Modernization with Additional Land and Two Berths at Terminal 46

FIGURE 2.5-2

NOTE: The orange renovation area would also be acquired.

The Coast Guard has identified requirements to modernize and enhance existing facilities and infrastructure at Base Seattle. These requirements include resolving incompatible land uses, increasing vessel berthing capacity, upgrading existing facilities and infrastructure, reducing congestion, and parking shortfalls, providing a safer work environment, enhancing physical security capabilities, and providing new infrastructure, as necessary. To that end, expansion and modernization plans to acquire land, demolish existing structures and construct new structures, expand and upgrade infrastructure, and meet safety/building codes necessary to support Coast Guard missions and associated personnel at Base Seattle have been developed. The proposed modernization would begin with land acquisition, then be followed by phased infrastructure improvements, which would include rehabilitation, renovation, demolition, and construction activities.

Conceptual building locations, infrastructure improvements, functional configurations, and real estate transactions were developed to account for land use, environmental hazards, and operational considerations. Construction, rehabilitation, renovation, and upgrade of facilities and infrastructure will be accomplished in accordance with Coast Guard standards for new buildings and compliance with federal laws and regulations addressing the environment and human health and safety (including the Clean Air Act [CAA], CWA, Endangered Species Act, CZMA, etc.).

Project implementation will center around the acquisition of land on Terminal 46, including onshore development and access to an existing berth. While additional work would occur on the existing Base property, the Project would provide a single, large piece of property that would enable efficient expansion of Base facilities while providing the effective Anti-Terrorism/Force Protection (AT/FP) setbacks. Further, the acquisition of existing, structurally adequate berthing space, currently designated for cargo ship berthing on the western boundary of Terminal 46, would be the most cost-effective and efficient action and would reduce potential effects by eliminating the need to construct two new berths.

Berths

Under the Preferred Alternative, the four existing Slip 36 berths at Base Seattle would be retained, and 1,070 LF of the total 2,930 LF of existing ship berthing at Terminal 46 would be acquired to accommodate two major cutters.

Terminal 46

In 2020, on behalf of the Coast Guard, Appledore Marine completed an inspection and assessment of waterfront facilities to evaluate structural conditions at the southern end of Terminal 46 (Coast Guard 2020). Appledore Marine evaluated structure configuration, construction materials, age, and remaining service life of the four areas. All evaluated areas of Terminal 46 are assumed to require replacement (Figure 3). Designs for replacement structures have not been developed so for purposes of analysis and determination it is assumed that replacement structures would be similar to the existing and surrounding pier structures (e.g., standard concrete piles, girders, beams, and decking), and with no net increase in square footage. Existing piles would be removed, including creosote timber piles, following USEPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State (USEPA, 2016).

The southern end of Terminal 46 is within or adjacent to Operable Unit (OU) 10 of Harbor Island Superfund Site. Depending on the exact location and nature of any in-water work in this area (wharf area immediately on the north side of Slip 36; refer to Figure 2), such work may occur within OU and therefore may require the work, in whole or in part, to be conducted as part of a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) action. Because the details of future work to this area, the extent of contamination in this area, and the potential for work to occur within OU 10 are not currently known, it is assumed for purposes of this consistency evaluation that rehabilitation of this area would not be conducted as part of a CERCLA removal action and consequently

is part of the Project. Should all or part of this work be required to be conducted under CERCLA, the removal action would likely include removal of contaminated sediment, additional work to address source materials for contamination, shoreline stabilization as contaminated sediment is removed, and, if necessary for Coast Guard use, replace/restore functional use of the pier for Coast Guard operations.

Buildings

The Project includes demolition, rehabilitation/renovation, and construction of certain structures.

- Demolition of Buildings 1, 2, 2 Annex, 6, 10, 12 (includes Magazine), and 14.
- Demolition or Renovation of:
    - Building 7 would be either renovated or demolished and replaced with new construction on acquired property. Building 7 does not meet mission requirements, as well as current building codes and seismic standards. The decision on the future of Building 7 would be made following further evaluation of cost and engineering feasibility for renovation. In the near-term Building 7 would be retained to provide interim space for Coast Guard functions that are displaced by the CERCLA removal action at Slip 36, including the demolition of Building 3.
- Construction of:
    - Mission Support Building – a three (3)-story, approximately 136,000 square foot building to house functions currently located in Building 2, Building 2 Annex, and Building 6 (all proposed for demolition) constructed on the southern boundary of the Base;
    - Base Administration Building – an approximately 31,000 square foot building to house functions currently located in Building 1 (proposed for demolition) to be constructed on the southern portion of Terminal 46 and north of Pier 37;
    - New Building 12 and 14– existing Buildings12 and 14 would be demolished and reconstructed in a new location on Terminal 46 with no change in size or function;
    - New Building 7 (if the recapitalization of the existing Building 7 is not feasible) – an approximately 363,000 SF building to house functions currently located in Building 7 and Building 3 (Building 3 would be demolished under the Slip 36 CERCLA action, as previously noted);
    - New Unaccompanied Personnel Housing (UPH) facility to house junior enlisted active-duty Coast Guard members. The existing housing unaccompanied active-duty Coast Guard members housing at Base Seattle is severely deficient and does not meet Coast Guard standards. The Coast Guard Basic Allowance for Housing (BAH) does not apply in this situation because junior enlisted personnel are by regulation not eligible to live off-base unless they are married. The Coast Guard has determined the UPH requirement as 136 beds.

Utility Replacement, Upgrade, and Modernization

Existing Base utilities are deficient and do not meet current codes. Any necessary utilities, including communications (e.g., telephone, data, video, etc.), electrical, natural gas, sanitary sewer, potable water (including fire protection water supply), and storm sewer, would be replaced to address current deficiencies, to accommodate new development and land use patterns, and to improve reliability and resiliency. Replacing and upgrading these utilities would include excavating existing utility corridors, replacing utility lines (each estimated to average 3,500 linear feet), installing power poles, installing lift and pump stations, installing pier-side power mounds and utility vaults, extending existing utilities to

relocated infrastructure and/or piers, and installing a new Base-wide Public Address system for daily operational and emergency announcements. Removing and replacing fueling systems and related storage systems would also occur. All connections would be within the expanded Base boundaries. These utility system upgrades would be designed in accordance with the land acquisition and pattern of development.

Soil Seismic Stabilization

Base Seattle is located on an area of artificial fill and structurally weak soils susceptible to liquefaction during earthquakes. Seismic soil stabilization to ensure structural integrity and public safety would be implemented by installing stone (or aggregate) columns, vertical or horizontal grouting, or deep soil mixing with amendments. It is anticipated that installing stone columns would be the most likely method of soil stabilization at Base Seattle and would be accomplished via top-feed or bottom-feed caisson-replacement. Both methods involve using an auger to drill holes to install a steel casing, filling the casing with aggregate material, and securing that material with compaction (National Highway Institute 2017). As many as 1,000 stone columns could be installed within the current Base boundaries and any acquired land. Each column would be approximately 100 feet deep, 3 feet in diameter, and spaced 6 feet on center (i.e., separated by 3 feet). Columns would likely be installed in a grid pattern set back by 10 or more feet from sheet pile walls; however, specific locations would be based on geotechnical analysis and infrastructure design development. Depending on the ultimate design and method for installation, the Coast Guard would implement monitoring, if necessary, to confirm the effectiveness of the stabilization.

Upgrades to Base Security and Fencing

The Coast Guard would install security fencing around the Base. The main entrance gate would remain in place but be upgraded to meet current standards and AT/FP requirements, including security barriers, sensors, and overhead lighting. A secondary gate at the northeastern corner of the Base, west of the intersection between Alaskan Way S and S. Atlantic Street, is currently used as needed for truck traffic and materials delivery. The Coast Guard would upgrade this gate. Further, the gate would be available to Base commuters during a.m. hours and to truck traffic throughout the day. The Coast Guard would develop an associated gatehouse within Base boundaries to prevent queuing off Base. The gate house would meet current standards and AT/FP requirements.

Expanded Parking and Flexible Use Space

The Project provides land acquisition for expanded parking and flexible use space. Expanded parking and associated space for vehicle circulation would address current parking deficiencies and parking requirements for daily commuting personnel, crew compliments, and Coast Guard personnel currently located off-base and be distributed across the existing base and newly acquired property at Terminal 46. Flexible use space is required for vessel safety and AT/FP buffers, vessel mooring, and maintenance support, including materials storage, equipment movements, and emergency vehicle usage. Under Project implementation, parking, circulation, and flexible use space would generally be provided in expanded areas to meet Coast Guard needs while reducing congestion and improving traffic and materials movement within the Base footprint. Current off-Base parking, approximately 40 miles north of the Base, would no longer be required. Current planning for parking capacity assumes that, upon Project completion, two cutters will generally be deployed at any one time; parking is estimated to be available for 100 percent of personnel under a six-cutter homeport scenario and 80 percent under an eight-cutter homeport scenario.

Repair of Internal Road Surfaces, Hardscaping, and Landscaping

The Coast Guard would replace or repair all internal roads and hardscape features (e.g., curbing, sidewalks) as needed due to condition or association with facility improvements and landscaped areas would be replaced or repaired following execution of various actions such as building construction or

utility replacement.

Table 1.1 Summary of Key Elements of Proposed Action (Alternative 1 in PEIS)

Key Elements	Detailed Description of Key Elements
Land Acquisition	Acquire between 27 and 54 acres of land, including and up to 53 acres of Terminal 46 (provides two cutter berths) and the 1.1-acre Belknap property.
Berths[1]	Six total major cutter berths required: Four berths provided in Slip 36 and two existing berths would be acquired at Terminal 46.
Terminal 46	Rehabilitate Terminal 46 to meet projected mission needs, as well as current building codes and seismic standards. Designs for replacement structures have not been developed. For the purposes of analysis, it is assumed that replacement structures would be standard concrete piles, girders, beams, and decking, similar to the existing and surrounding pier structures, with no net increase in square footage. Existing piles would be removed, including creosote timber piles.
Buildings – Demolition/Rehabilitation/Construction	
Mission Support Building	Construct an approximately 136,000 SF, up to 3-story building along Base's southern boundary.
Base Administration Building	Construct an approximately 75,000 SF, up to 5-story building south of Pier 36A/B.
Building 7	Building 7 would either be seismically retrofitted and rehabilitated to meet mission requirements, current code, and seismic standards, or demolished and replaced with new construction. New replacement buildings would be constructed on Terminal 46.
Building 2 and Building 2 Annex	Building 2 and Building 2 Annex would be demolished, and their functions would be relocated to new Mission Support Building.
Building 6	Building 6 would be demolished and its functions would be relocated to new Mission Support Building.
Building 10	Building 10 would be demolished and its functions would be relocated to renovated Building 7 or new Building 7.
Building 12 (Magazine)	Building 12 to be demolished and reconstructed on Terminal 46.
Building 14	Building 14 would be demolished and reconstructed adjacent to the north side of Building 7 or adjacent to the new Building 7.
Building 1	Building 1 would be demolished and its functions would be relocated to new Base Administration Building.
Utility Replacement, Upgrade, and Modernization	Utility upgrades and extensions required. Utility alignments are estimated to be approximately 3,500 LF. Systems include communications (e.g., telephone, data, video, comm. relay), electrical, natural gas, sanitary sewer, potable water

Key Elements	Detailed Description of Key Elements
	(includes fire protection water supply), and storm sewer. These improvements include providing shore-side connections to berthed vessels.
Seismic Soil Stabilization	Installation of approximately 1,000 stone columns—100 feet deep, 3 feet in diameter, 6 feet on center—within current Base boundary and any acquired property.
Upgrades to Base Security and Fencing	Replace Main Gate with AT/FP-compliant main ECP; replace secondary gate with AT/FP- compliant ancillary ECP, replace security barriers and pavement, replace overhead security lighting, replace Main Gate Security Gatehouse, and install security sensors.
Expanded Parking and Flexible Use Space	Surface parking on current Base property and on Terminal 46.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	Replace and reconstruct Base roadways, parking lots, parking aprons, cutter laydown areas, sidewalks, landscaping, and hardscaping.

[1] USCG assumes some in-water work, including designated pier replacement, would be completed as part of characterization and cleanup under CERCLA authority, as described in Section 2.4.
Abbreviations: AT/FP = Anti-Terrorism/Force Protection, ECP = Entry Control Point, SF = square feet, LF = linear feet

Construction Phasing and Execution

The timing for execution of these Project elements is based on current Coast Guard planning and operational needs. These timeframes may change based on factors such as funding and evolving Federal government priorities. As such, it is possible the schedule identified for some of these projects could shift over the course of the Project. This may result in a shift in the estimated maximum period of work, or an extension of the work over a longer period, which would reduce the intensity of construction activities. These timelines provide the framework for the analysis and reflect a potential maximum intensity of activity on Base.

It is assumed all construction and site development activities would include use of standard construction processes (i.e., demolition, materials delivery, concrete placement) and equipment (i.e., trucks, backhoes, cranes, power tools).

Some construction projects may require the use of barges to support construction activities or delivery of materials. Details on the need, number, or timing of barges will not be available until specific projects are contracted and design specifications and workplans are developed.

Sustainability

In accordance with applicable laws and regulations, Coast Guard policy, and Coast Guard guidance (Coast Guard 2020), the Coast Guard would include design elements to improve sustainability and resiliency in future construction. The Coast Guard would conduct construction in accordance with the Guiding Principles for Sustainable Federal Buildings and Associated Instructions (CEQ 2020) or applicable guidance at the time of construction. The Guiding Principles provide agencies with a means to meet statutory provisions relating to high-performance sustainable buildings.

The Guiding Principles ensure federal buildings:

- Employ integrated design principles,

- Optimize energy performance,
- Protect and conserve water,
- Enhance the indoor environment,
- Reduce the environmental impact of materials,
- Assess and consider building resilience.

Because the Coast Guard is in the programmatic level of planning for modernization of Base Seattle, it has not initiated detailed design for any future construction projects. Future planning and designs may consider a wide range of design features. These features include on-site renewable power generation (e.g., photovoltaic [PV]), electrical vehicle charging infrastructure integrated with PV carports and battery storage, and other energy and water conservation controls and measures.

As an agency charged with public safety and law enforcement missions, it is essential that Base Seattle remain operational during system outages or natural disasters. The Federal Sustainability Plan and the Department of Homeland Security (DHS) Resilience Framework (DHS 2018) dictate that the Coast Guard consider design features to ensure continuity of operations during system outages or natural disasters. Examples of design considerations include seismic hardening of mission critical facilities, off-grid power generation and storage (e.g., micro-grid technology), and elevation of critical infrastructure and utility components to combat risk of flooding.

1.2.2 Permit Conditions and Control Measures

All construction and site development activities would be completed in compliance with all design standards and with any required permits or approvals issued for site-specific work. In executing the construction activities described above, the Coast Guard will likely contract under a design-build process under which the selected contractor(s) will both design and construct Project elements based on established requirements. The Coast Guard will require contractors to comply with all permit conditions and control measures. Upon contract execution, the Coast Guard will implement a construction inspection contractor process to incorporate monitoring, reporting, and management of permitting requirements—and implementation of corrective action processes as required by individual permits.

Prior to implementation of Project elements not yet fully designed, the Coast Guard will prepare documentation and perform regulatory agency coordination and consultation, as appropriate and necessary, pursuant to NEPA, CZMA, the Endangered Species Act, Marine Mammal Protection Act, Magnuson-Stevens Fishery Conservation and Management Act, Migratory Bird Treaty Act, and all other applicable laws and regulations. Specifically, if required, the Coast Guard will prepare a Water Quality Certification request under CWA Section 401and submit a CWA Section 404 (b) (1) evaluation to assess the potential water quality impacts of the Project.

For example, construction activities that disturb one (1) or more acres are regulated under the Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Program and require a Construction Stormwater General Permit administered by Ecology (Ecology 2021). This permit would require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will be prepared by or on behalf of the Coast Guard and implemented by the construction contractor. The plan will be kept on-site and will be updated by the construction contractor, as needed. The construction contractor must comply with all conditions of the U.S. Environmental Protection Agency's (USEPA) Construction General Permit. Areas of disturbance or stockpiling will be stabilized with erosion control devices to ensure that sediment from construction is prevented from entering adjacent waters. Staging areas and work areas will incorporate appropriate measures to minimize the potential for hydrocarbon or chemical contamination of site soils and water bodies. The construction contractor will ensure permit conditions are met. Sediment and erosion control

measures will be maintained and renewed as necessary until permanent vegetation and storm runoff control measures are effective. A Notice of Termination will be completed in compliance with the NPDES permit when site conditions are permanently restored and stabilized, estimated to occur one (1) year after construction.

1.2.3 Best Management Practices

The Coast Guard will require, as conditions of all Coast Guard construction contracts, that all new building design and construction are consistent with the *Civil Engineering Manual* (USCG 2014) or current standards. In addition, Coast Guard guidance for new building construction requires incorporation of a number of standards, including the *Guiding Principles for Sustainable Federal Building and Associated Instructions* (CEQ 2020). The Coast Guard would require construction contractors to design and construct consistent with the enforceable policies in place at that time, as well as implement BMPs or other control measures before, during, and after construction. Additional BMPs relevant to specific enforceable polices are identified in the consistency analysis below and Attachment A provides a full list of specific BMPs that address water resources, air quality, biological resources, and cultural resources.

BMPs would be incorporated in all phases of the construction project development, including pre-construction contract award, planning, design, construction, and post construction. Pre-award activities would include the actions considered and executed to initiate the expansion and modernization of the Base Seattle program. The planning phase includes studies and documentation required to support the subsequent design and construction phases of the program. The design phase includes the preparation of plans and specifications for each of the individual proposed construction projects within the program. The construction phase is the actual onsite demolition, renovation, and new construction activities for the proposed projects. Post-construction actions are construction close out procedures and ongoing operations at Base Seattle related directly to the Proposed Action.

2. Jurisdiction and Consistency Requirements

The CZMA is administered by Ecology. Under Washington's program, federal projects that would affect land use, water use, or natural resources in the coastal zone must demonstrate consistency with the policies of five overarching laws.

1. Shoreline Management Act
2. Clean Water Act/Washington Water Pollution Control Act
3. Clean Air Act/Washington Clean Air Act
4. Ocean Resource Management Act
5. Marine Waters Management and Planning Act

CZMA requires Ecology to review this federal consistency determination and make a finding regarding the proposed project's consistency with applicable enforceable policies.

2.1 Shoreline Management Act (RCW 90.58)

The Washington SMA (RCW 90.58) is the legal basis for managing the state's shorelines and waters, with jurisdiction that extends from 0 to 200 miles offshore. Shoreland jurisdiction extends landward for 200 feet as measured on a horizontal plane from the ordinary high-water (OHW) mark. It also includes floodways and contiguous floodplain areas landward 200 feet from such floodways, and all wetlands and river deltas associated with streams, lakes, and tidal waters subject to a master program.

RCW 90.58.020 defines the State's order of preference for uses and consistency— and that are deemed "enforceable" by the National Oceanic and Atmospheric Administration (NOAA) Office of Coastal

Management[1]—as follows (Ecology 2020).

1. Recognize and protect the statewide interest over local interest;
2. Preserve the natural character of the shoreline;
3. Result in long-term over short-term benefit;
4. Protect the resources and ecology of the shoreline;
5. Increase public access to publicly owned areas of the shorelines;
6. Increase recreational opportunities for the public in the shoreline;
7. Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

Although the Coast Guard is not required to obtain a permit, the SMA applies for federal consistency purposes and the Coast Guard needs to demonstrate consistency with the SMA and its implementing WACs, to the maximum extent practicable.

2.2 Clean Water Act / Washington Water Pollution Control Act (RCW 90.48)

As stated above, the Base Seattle Modernization Project would be conducted adjacent to and partially within an area designated as a water of the U.S. under Section 404 of the CWA of 1977, as amended, and would require evaluation of all projects involving the discharge of dredged or fill material into waters of the U.S. for water quality and other effects prior to making the discharge.

The Water Pollution Control Act outlines the public policy of the state of Washington to maintain the highest possible standards to ensure the purity of all waters of the State are consistent with public health and public enjoyment thereof. Additionally, it outlines the propagation and protection of wildlife, birds, game, fish, and other aquatic life, and the industrial development of the state, and require the use of all known available and reasonable methods by industries and others to prevent and control the pollution of the waters of the state of Washington. The Water Pollution Control Act works in concert with the Federal CWA to ensure that waters of the U.S. and Washington State are protected.

The Coast Guard would obtain a Section 401 Water Quality Certification and CWA Section 404(b)1 permit prior to any projects potentially affecting water quality. The Coast Guard would comply with Section 402 of the CWA by seeking coverage under an NPDES Construction General permit from the USEPA, including development of a SWPPP, before initiating Project work.

2.3 Clean Air Act/Washington Clean Air Act (RCW 70.94)

The federal CAA established a comprehensive program for improving and maintaining air quality throughout the U.S. Its goals are achieved by permitting stationary sources, restricting the emission of toxic substances from stationary and mobile sources, and establishing National Ambient Air Quality Standards (NAAQS). Title 42 of the U.S. Code (USC) Section 7418 specifies that each department and agency of the Federal Government (1) having jurisdiction over any property or facility; or (2) engaged in any activity resulting, or which may result, in the discharge of air pollutants, shall be subject to, and comply with, all Federal, state, interstate, and local requirements respecting the control and abatement of air pollution in the same manner, and to the same extent as any non-governmental entity. Coast Guard

[1] NOAA's Office of Coastal Management identifies an enforceable policy as "a state policy that is legally binding under state law (e.g., through constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions), and by which a state exerts control over private and public coastal uses and resources, and which are incorporated in a state's federally approved CMP." CZMA § 304(6a) and 15 CFR § 930.11(h).

activities resulting in the discharge of air pollutants must conform to NAAQS and State Implementation Plans (SIPs) unless the activity is explicitly exempted by USEPA regulations.

Ecology provides the systematic control of air pollution from air contaminant sources and for the proper development of the state's natural resources. For that responsibility, the Department has established technically feasible and reasonably attainable standards and established rules generally applicable to the control and/or prevention of the emission of air contaminants (WAC 173.400 through 173.495).

2.4 Ocean Resources Management Act (RCW 43.143)

The Ocean Resources Management Act (ORMA) (RCW 43.143, and WAC 173-18, 20, 22, 26, and 27) establishes policies and guidelines for state and local management authority over Washington's coastal waters, seabed, and shorelines. It supplements the Shoreline Management Act with jurisdiction that extends from the mean high tide line seaward for 200 miles in four Washington counties, not including King County or City of Seattle; therefore, the ORMA does not apply to this Project.

2.5 Marine Spatial Plan for Washington's Pacific Coast

The Marine Waters Management and Planning Act (RCW 43.372) provides the overall intent, purpose, principles, and elements for development of the Marine Spatial Plan (MSP) for Washington's Pacific Coast. The MSP creates a framework for integrating existing state and local authorities. It does not supersede current authority of state agencies or local governments (RCW 43.372.060). Because the Act and MSP apply only to the Pacific Coast of Washington, they do not apply to this Project.

3. Consistency Evaluation

The following consistency evaluation encompasses both known near-term land acquisition and facility operational use components (e.g., parking and laydown areas, facility maintenance and rehabilitation) and planned future construction and development components of the Project. As noted previously, all development projects would occur following acquisition of land and therefore only potential "spillover" effects on the coastal zone are considered in the analysis. The Coast Guard also recognizes that certain actions, such as in-water projects to rehabilitate Terminal 46, have a greater potential for effects on coastal resources and, because design details are currently lacking, they would likely require supplemental or separate consistency review in the future. Other future shoreside actions have a much lower potential for effects on coastal resources and therefore, while they may also lack specific designs, a more complete consistency analysis is possible. The Coast Guard has evaluated the consistency of both near-term land acquisition and facility operational use, as well as a long-term development program, and has determined that these actions would be consistent to the maximum extent practicable with the enforceable polices of the Washington CZM Program and requests Washington State Department of Ecology concurrence with this determination.

As previously described, this is a 20-year program and future construction and development have not yet been designed, approved, or permitted; nevertheless, the Coast Guard will comply with conditions of all required permits and approvals issued in support of the Project (e.g., CWA Section 404 permit, CWA Section 401 Water Quality Certification). To that end, the Coast Guard is also committed to implementing BMPs that will guide future infrastructure design and construction and ensure consistency with enforceable policies of the Washington CZM Program. The Coast Guard addresses the consistency of future construction with the implementation of BMPs for each enforceable policy.

Given the period of time that could elapse between the completion of this consistency review for expansion and modernization of Base Seattle, and the future design and construction of certain components of the Project, the Coast Guard would conduct future CZMA compliance, as necessary.

3.1 Shoreline Management Act: (RCW 90.58)

3.1.1 State of Washington Shoreline Management Program

The Washington State Department of Ecology enforces policies under the State Shoreline Management Act (SMA). WAC 173-22: Shorelines of the State is applicable to the Project, as the Project is adjacent to, and has the potential to affect, the Shoreline of the State. The Project will implement BMPs to avoid, control, and minimize effects (as identified individually below and also presented in Attachment A). The Project is consistent to the maximum extent practicable with the SMA requirements.

Given that the Project has the potential to affect a Shoreline of the State (WAC 173-22), this determination addresses consistency with the SMA. There are two options for demonstrating consistency with the SMA: (1) through an SMA policy analysis, or (2) by following the relevant local Shoreline Management Plan. Since the Coast Guard, as a federal agency, is not subject to local land use requirements, this consistency determination addresses federal consistency with the enforceable policies of the SMA.

The CZMA does not require federal agencies to obtain local permits. However, for federal consistency purposes, a federal applicant must demonstrate consistency with the SMA and its implementing WACs (i.e., enforceable policies) to the maximum extent practicable. The Coast Guard has demonstrated consistency to the maximum extent practicable with the SMA, and all applicable policies and regulations for Shorelines of the State, consistent with the CZMA.

This document provides information for a determination of consistency as described in the Revised Code of Washington and associated WACs. The following addresses pertinent sections of the enforceable policies that apply to and implement the SMA.

1. **Does the SMA apply to the proposed activity? Meaning does the proposed action occur within SMA jurisdiction or are there reasonably foreseeable effects to coastal uses and resources within SMA jurisdiction?**

   Yes.

2. **Which shoreline of the state is the proposed activity associated with?**

   The Duwamish River Puget Sound.

3. **Is the waterbody or associated waterbody a "shoreline," as defined in RCW 90.58.030(2)(e) or a "shoreline of statewide significance", as defined in RCW 90.58.030(2)(f)?**

   Yes. The associated waterbody is the Duwamish River Puget Sound.

4. **Is there a component of the proposed activity occurring upland within the "shorelands," as defined in RCW 90.58.030(2)(d)?**

   Yes, the acquisition of a portion of Terminal 46 and the Belknap property would occur in the shorelands as defined. All other actions would take place on federal property since, once property is acquired, it would become federal property.

5. **Is there a component of the proposed activity occurring within water?**

   Yes. The future renovation of Terminal 46 would include in-water work. Terminal 46 would likely require the replacement of its current pilings. See Section 1.2.1 above for more detail. The activity has not been designed. However, additional compliance would occur, as necessary, prior to construction, including acquiring any ESA authorizations or CWA certifications and permits. This

action would occur on federal property or on submerged lands subject to federal control under navigational servitude. Any impacts would be spillover effects from the federal action.

6. If the proposed activity is within a "shoreline of statewide significance" describe how the proposal furthers any of the following preferred uses and outcomes of the SMA [RCW 90.58.020]:

(1) Recognize and protect the statewide interest over local interest.
(2) Preserve the natural character of the shoreline.
(3) Result in long term over short term benefit.
(4) Protect the resources and ecology of the shoreline.
(5) Increase public access to publicly owned areas of the shorelines.
(6) Increase recreational opportunities for the public in the shoreline.

The following table describes how each element of the proposed action is consistent with the preferred uses and outcomes of the SMA.

Key Elements[2]	Consistency Determination	BMP (See Attachment A)
Land Acquisition	**Consistent.** The acquisition of land would occur on previously disturbed built environment, will not alter the ecological functions adjacent to the Base and would be consistent as a water-dependent use. It would provide long term benefits to the public safety by allowing for the expansion and modernization of Coast Guard Base Seattle. Land acquisition would not impede public access to shorelines or impair public views of the water because the current Coast Guard property and Port property proposed to be acquired are secured from access by the public. The current viewshed would not change from acquisition.	
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The future demolition, rehabilitation, and/or construction of buildings would occur in the previously disturbed built environment on existing Base property or on acquired property and would not result in the loss of any ecological functions. All buildings would support the long-term benefits of Coast Guard water-dependent operations. No undeveloped lands providing ecological function would be disturbed. Due to security, public access would be limited, but similar to existing access. Any new building construction would be below Seattle height restrictions, to the extent practicable, and the views of the water would not be further limited from the current condition. There would be no spillover effects from this element.	**WR – 11**
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. Replacement of the existing creosote piles and decking would improve shoreline	**WR – 11, 20**

[2] For a detailed description of the key elements see Section 1.2.1 and table 1.1.

Key Elements[2]	Consistency Determination	BMP (See Attachment A)
	ecology, providing long-term benefits. The use of the terminal would remain water-dependent and public access would be the similar to what is currently allowed. No new visual impairments would result.	
Utility Replacement, Upgrade, and Modernization	**Consistent.** Any upgrades to Base utilities would occur within existing previously disturbed built environment and would not affect ecological function, public access to shorelines, or views of the water. The upgrade of the stormwater sewer could provide long-term benefits to the ecological function in areas adjacent to the Base.	**WR – 11**
Seismic Soil Stabilization	**Consistent.** The installation of stone columns within the Base and acquired lands would not impact the ecological function of the area, public access to shorelines, or views of the water. The installation would occur in and below the previously disturbed built environment. However, the stabilization of the soil upon which the Base is located would result in long-term benefits. There would be no spillover effects from this element.	**WR – 11**
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would occur in the previously disturbed built environment on already developed, impervious surfaces and would not result in the loss of any ecological functions, public access to shorelines, or views of the water. There would be no spillover effects from this element.	**WR – 11**
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would occur in the previously disturbed built environment on already developed impervious surfaces and would not result in the loss of any ecological functions, public access to shorelines, or views of the water. There would be no spillover effects from this element.	**WR – 11**
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would occur in the previously disturbed built environment and would not result in the loss of any ecological functions, public access to shorelines, or views of the water. There would be no spillover effects from this element.	**WR – 11**

7. Describe how the proposal will result in "no net loss" of shoreline ecological functions, as outlined in WAC 173-26-186(8).

WAC 173-26-186(8): Through numerous references to and emphasis on the maintenance, protection, restoration, and preservation of "fragile" shoreline "natural resources," "public health," "the land and its

vegetation and wildlife," "the waters and their aquatic life," "ecology," and "environment," the act makes protection of the shoreline environment an essential statewide policy goal consistent with the other policy goals of the act. It is recognized that shoreline ecological functions may be impaired not only by shoreline development subject to the substantial development permit requirement of the act but also by past actions, unregulated activities, and development that is exempt from the act's permit requirements. The principle regarding protecting shoreline ecological systems is accomplished by these guidelines in several ways, and in the context of related principles.

The following table describes how each element of the proposed action is consistent with the WAC 173-26-186(8).

Key Elements	**Consistency Determination**	**BMP (See Attachment A)**
Land Acquisition	**Consistent.** The acquisition of land will not result in a net loss of ecological function. The potential spillover effects of the future use of acquired lands are assessed in the following key elements.	
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The future demolition, rehabilitation, and/or construction of buildings would occur in the previously disturbed built environment of the Base that does not serve a natural ecological function; therefore, it would not result in any loss. No undeveloped lands providing ecological function would be disturbed.	**WR – 11**
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. There would be no net loss of ecological functions since Terminal 46 would be rebuilt in place and effectively in kind. Replacement of the existing creosote piles and decking would improve conditions.	**WR – 11, 20**
Utility Replacement, Upgrade, and Modernization	**Consistent.** Any upgrades to Base utilities would occur within existing previously disturbed built environment and would not affect ecological function. The upgrade of the stormwater sewer could provide benefits to the ecological function in areas adjacent to the base.	**WR – 11**
Seismic Soil Stabilization	**Consistent.** The installation of stone columns within the Base and acquired lands would not impact the ecological function of the area, it would occur in and below the previously disturbed built environment in artificial fill.	**WR – 11**
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would occur in the previously disturbed built environment on already developed impervious surfaces and would not result in the loss of any ecological functions.	**WR – 11**
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would occur in the previously disturbed built environment on already developed	**WR – 11**

Key Elements	Consistency Determination	BMP (See Attachment A)
	impervious surfaces and would not result in the loss of any ecological functions.	
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would occur in the previously disturbed built environment and would not result in the loss of any ecological functions.	**WR – 11**

8. Does the proposed activity include any new or expanded building or structure of more than 35ft above average grade level [RCW 90.58.320]?

RCW 90.58.320 Height limitation respecting permits. No permit shall be issued pursuant to this chapter for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

The following table describes how each element of the proposed action is consistent with RCW 90.58.320. Since all building construction would occur on federal property, a permit pursuant to this chapter would not be required.

Key Elements	Consistency Determination
Land Acquisition	**Consistent.** Land acquisition actions would not result in changes in the heights of buildings.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent**. The proposed Project is located in the Duwamish Manufacturing/Industrial Center. Directly east of the Base is an elevated portion of Highway 99 and T-Mobile Park. Buildings proposed for renovation and/or construction are required to support Coast Guard's water-dependent uses. These uses include equipment storage, technological support, administrative functions, personnel support, etc. The building heights are intended for the Coast Guard to consolidate compatible functions for efficient space planning in single buildings, thereby conserving open areas for vessel-specific activities. The Coast Guard intent to acquire land is, in part, to enable construction of lower buildings and avoid building higher. The greatest building height proposed is a single 60 foot, five-story structure for the Base Administration Building, which would be constructed on the southeastern portion of the property acquired at Terminal 46. That structure would be set back from street level and blocked from street views by an existing four-story (48 foot) structure. Views are already obstructed by T-Mobile Park and the elevated portion of Highway 99 located east of the Base. Given that an existing building would block the proposed building from view and there are other obstructions east of the Base, the views from upland residences would not be substantially changed or blocked by development of the single building.

Key Elements	Consistency Determination
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. However, it would not exceed the specified height restrictions.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Replacement, modernization, and upgrades to Base utilities would not result in changes in the heights of buildings.
Seismic Soil Stabilization	**Consistent.** Actions related to seismic soil stabilization would not result in changes in the heights of buildings.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would not result in changes in the heights of buildings.
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would not result in changes in the heights of buildings.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would not result in changes in the heights of buildings.

9. Is the proposed activity near a "critical area," according to WAC 173-26-221(2)?

WAC 173-26-221(2) Critical Areas "Critical areas" include the following areas and ecosystems:(a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable waters; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

The following table describes how each element of the proposed action is consistent with WAC 173-26-221(2).

Key Elements	Consistency Determination
Land Acquisition	**Consistent.** Land acquisition actions would not affect environmentally critical areas.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** Base Seattle is constructed on artificial fill. The future demolition, rehabilitation, and/or construction of buildings would occur in the built environment and not impact environmentally critical areas.
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. Existing hardened shorelines would be retained or, if necessary, rehabilitated; however, no new shoreline hardening, contouring, landscaping, etc. is proposed and shoreline uses would be consistent with current operations and not affect environmentally critical areas. The waterside activities proposed include the future rehabilitation/replacement of deteriorated treated timber piles and decking.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Replacement, modernization, and upgrades to Base utilities would not develop or modify existing shorelines or affect environmentally critical areas.
Seismic Soil Stabilization	**Consistent.** Actions related to seismic soil stabilization would not develop or modify existing shorelines or affect environmentally critical areas.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would not develop or modify existing shorelines or affect environmentally critical areas.

Key Elements	Consistency Determination
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would not develop or modify existing shorelines or affect environmentally critical areas.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would not develop or modify existing shorelines or affect environmentally critical areas. No shoreline hardening, contouring, landscaping, etc. is proposed.

10. Describe how the proposal is consistent with the archaeological and historic resources standards in WAC 173-26-221(1)(c).

WAC 173-26-221(1)(c) Standards: Local shoreline master programs shall include policies and regulations to protect historic, archaeological, and cultural features and qualities of shorelines and implement the following standards. A local government may reference historic inventories or regulations. Contact the department of archaeology and historic preservation and affected Indian tribes for additional information.
(i) Require that developers and property owners immediately stop work and notify the local government, the department of archaeology and historic preservation and affected Indian tribes if archaeological resources are uncovered during excavation.
(ii) Require that permits issued in areas documented to contain archaeological resources require a site inspection or evaluation by a professional archaeologist in coordination with affected Indian tribes.

The following table describes how each element of the proposed action is consistent with WAC 173-26-221(1)(c). The Coast Guard would ensure development and implementation of an Inadvertent Discovery Plan (IDP) for archaeological and historic resources in advance of future ground-disturbing construction associated with the demolition, rehabilitation, and/or construction of buildings. This IDP is described in BMP CR – 32.

Key Elements	Consistency Determination	BMP (See Attachment A)
Land Acquisition	**Consistent.** The land acquisition would not affect historic resources.	
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The Coast Guard has completed a historic resource evaluation of all existing buildings and structures at Base Seattle and an archaeology assessment of the Base which concluded that one resource – Building 7 – within the Project footprint is eligible for listing on the NRHP. The Coast Guard has not yet determined whether Building 7 would be renovated or demolished but the Coast Guard is currently in consultation with the SHPO to develop an historic building management plan to address current use of Building 7 and guide potential, future fate of Building 7. Future construction may require additional compliance with Section 106 of the NHPA.	**CR – 32**

Key Elements	Consistency Determination	BMP (See Attachment A)
	No archaeological resources are known to occur in the action area; however, the Base is considered to be in an area of high probability for resources. The Coast Guard would implement an Inadvertent Discovery Plan (IDP) in coordination with the SHPO and the Suquamish and the Muckleshoot tribes to address previously unknown resources that may be encountered during construction. If encountered, construction activities would cease while the Coast Guard assess the resource and coordinates with the SHPO and tribes, as necessary. The Coast Guard is also engaged in government-to-government consultation with the Suquamish and the Muckleshoot tribes to address any tribal concerns.	
Terminal 46	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources. The Coast Guard has proposed to acquire two berths at Terminal 46. Waters adjacent to Terminal 46 are U&A fishing grounds and acquisition of the berths would potentially impede tribal fishing. The Coast Guard is engaged in government-to-government consultation with the Muckleshoot Indian Tribe and Suquamish Tribe and is also seeking to develop MOAs with the tribes that addresses potential impacts to tribal fishing practices in the area for the duration of the Preferred Alternative.	**CR – 32**
Utility Replacement, Upgrade, and Modernization	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources.	**CR – 32**
Seismic Soil Stabilization	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources.	**CR – 32**
Upgrades to Base Security and Fencing	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources.	**CR – 32**
Expanded Parking and Flexible Use Space	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources.	**CR – 32**
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** See the determination for **Buildings** above for a discussion of minimizing impacts to cultural resources.	**CR – 32**

11. Describe how the proposal is consistent with the flood hazard reduction standards in WAC 173-26-221(3)(c).

WAC 173-26-221(1) Applicability: The following provisions apply to actions taken to reduce flood damage or hazard and to uses, development, and shoreline modifications that may increase flood hazards.

WAC 173-26-221(3)(c) Standards do not apply to the proposed Project as none of the key elements would be taken to reduce flood damage nor would they increase flood hazards. Therefore WAC 173-26-221 would not apply.

12. Describe how the proposal is consistent with the public access standards in WAC 173-26-221(4)(c).

WAC 173-26-221(4)(c) does not apply to the proposed action as Coast Guard property is not publicly accessible. In addition, acquired property would also not be available for public access; however, none of these lands are currently open for public access and use.

13. Describe how the proposal is consistent with the shoreline vegetation conservation standards in WAC 173-26-221(5)(c).

The Proposed Project would not remove native shoreline vegetation. The following table describes how each element of the proposed action is consistent with WAC 173-26-221(5)(c).

Key Elements	Consistency Determination
Land Acquisition	**Consistent.** Land acquisition would not require land clearing and there would be no impact to shoreline vegetation.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The future demolition, rehabilitation, and/or construction of buildings would occur in previously disturbed areas that are largely paved with limited areas of ornamental, non-native shoreline vegetation.
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. However, the Terminal 46 shoreline consists of sheet pile and does not contain any native shoreline vegetation.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Utility replacement, upgrade, and modernization would not require land clearing and would occur in previously disturbed areas that lack any native, shoreline vegetation.
Seismic Soil Stabilization	**Consistent.** Installation of stone columns for seismic soil stabilization would not require land clearing and would occur in previously disturbed areas that lack any native, shoreline vegetation.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would not require land clearing and would occur in previously disturbed areas that lack any native, shoreline vegetation.
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would not require land clearing and would occur in previously disturbed areas that lack any native, shoreline vegetation.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would not require land clearing and would occur in previously disturbed areas that lack any native, shoreline vegetation.

14. Describe how the proposal is consistent with the water quality, stormwater, and nonpoint pollution standards in WAC 173-26-221(6)(c).

WAC 173-26-221(6)(b) Principles states that "Shoreline master programs shall, as stated in RCW 90.58.020, protect against adverse impacts to the public health, to the land and its vegetation and wildlife, and to the waters of the state and their aquatic life, through implementation of the following principles: (i) Prevent impacts to water quality and stormwater quantity that would result in a net loss of shoreline ecological functions, or a significant impact to aesthetic qualities, or recreational opportunities. (ii) Ensure mutual consistency between shoreline management provisions and other regulations that address water quality and stormwater quantity, including public health, stormwater, and water discharge standards. The regulations that are most protective of ecological functions shall apply.

Consistent. Prior to implementation of Project elements, the Coast Guard will prepare documentation and perform regulatory agency coordination and consultation, as appropriate and necessary, pursuant to the Clean Water Act. Specifically, if required, the Coast Guard will prepare a Water Quality Certification request under CWA Section 401and submit a CWA Section 404 (b) (1) evaluation to assess the potential water quality impacts of the Project. For example, construction activities that disturb one (1) or more acres are regulated under the Clean Water Act Section 402 National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Program and require a Construction Stormwater General Permit administered by Ecology (Ecology 2021). This permit would require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP will be prepared by or on behalf of the Coast Guard and implemented by the construction contractor. The plan will be kept on-site and will be updated by the construction contractor, as needed. The construction contractor must comply with all conditions of the U.S. Environmental Protection Agency's (USEPA) Construction General Permit. Areas of disturbance or stockpiling will be stabilized with erosion control devices to ensure that sediment from construction is prevented from entering adjacent waters. Staging areas and work areas will incorporate appropriate measures to minimize the potential for hydrocarbon or chemical contamination of site soils and water bodies. The construction contractor will ensure permit conditions are met. Sediment and erosion control measures will be maintained and renewed as necessary until permanent vegetation and storm runoff control measures are effective. A Notice of Termination will be completed in compliance with the NPDES permit when site conditions are permanently restored and stabilized, estimated to occur one (1) year after construction. The measures would result in the consistency with the standards identified in WAC 173-26-221(6)(c).

In addition, a key element of the Proposed Action is to rehabilitate the entire stormwater system at Base Seattle. This action would integrate stormwater systems at the existing Base and any acquired land, improve overall stormwater management, and further reduce potential impacts that could affect ecological functions and public health.

15. Which general environment designation(s) does the proposed activity fall under, according to WAC 173-26-211(5) (a)(iii), (b)(iii), (c)(iii), (d)(iii), (e)(iii) and (f)(iii)? Be specific and detailed.

The Proposed Project is located in a "High-intensity" environment, as defined in WAC 173-26-211(5)(d). The proposed acquisition areas are within the boundaries of the Port of Seattle—a water-dependent industrial area— meeting the definition of a "High-intensity" environment whose purpose is to provide for high-intensity water-oriented commercial, transportation, and industrial uses, while protecting existing ecological functions and restoring ecological functions. The following table describes the key elements of the Project and its consistency with water-dependent uses in a "High-intensity" environment.

Preferred Alternative Key Element	Consistency Determination
Land Acquisition	**Consistent.** Base Seattle and the Port of Seattle are both within a "High-intensity" environment. Therefore, proposed land acquisition actions are compatible and consistent with "High-intensity" environment. Key elements of the Project are either water-dependent or water-related as they support the Coast Guard's water-dependent mission.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The future demolition, rehabilitation, and/or construction of buildings would be consistent and compatible with surrounding land or water uses. The purpose of the future modifications is to replace landside infrastructure with built facilities.
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. However, the renovation would minimize adverse impacts to surrounding land and water uses and would be compatible with the "High-intensity" environment.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Replacement, upgrades, and modernization of utilities at the Base would be consistent and compatible with surrounding land or water uses and would be compatible with the "High-intensity" environment.
Seismic Soil Stabilization	**Consistent.** Seismic soil stabilization would be consistent and compatible with surrounding land or water uses and would be compatible with the "High-intensity" environment.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would be consistent and compatible with surrounding land or water uses and would be compatible with the "High-intensity" environment.
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would be consistent and compatible with surrounding land or water uses and would be compatible with the "High-intensity" environment.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would be consistent and compatible with surrounding land or water uses and would be compatible with the "High-intensity" environment.

16. Does the proposed activity include agriculture as defined by WAC 173-26-020(3)?

No.

17. Does the proposed activity include aquaculture, as defined by WAC 173-26-020(6)?

No.

18. Does the proposed activity include any boating facilities, as defined by WAC 173-26-241(3)(c)?

Yes. Base Seattle currently provides four cutter berths, as well as mooring for Coast Guard small boats, in Slip 36 at Base Seattle. The acquisition of land on Terminal 46 would provide an additional two berths to the Base, resulting in a total of six berths. The Coast Guard requires berthing space at the Base for up to eight major cutters; the two existing berths proposed to be acquired at Terminal 46 would satisfy this requirement.

A security zone would be established around the berths when Coast Guard vessels are docked subject to federal navigational servitude. Given security requirements, these federal berths are not publicly accessible. As described above, these berths would not result in a net loss of shoreline ecological functions or adverse impacts to recreational boating opportunities—since the area is currently not

publicly accessible. Therefore, the Project would be consistent with this policy to the maximum extent practicable, while still providing the required security of a Coast Guard base.

19. Does the proposed activity include any commercial development?

No.

20. Does the proposed activity include forest practice conversions or other Class IV-General Forest practices where there is a likelihood of conversion to nonforest uses?

No.

21. Does the proposed activity include industrial development?

No. The proposed expansion and modernization of Base Seattle is not an industrial development. However, the federal property is surrounded by industrial uses and its use would be consistent with surrounding uses. See table below for additional information.

Key Elements	Consistency Determination
Land Acquisition	**Consistent.** Base Seattle is located in the Urban Industrial shoreline environment, whose purpose is to provide for water-dependent and water-related industrial uses on larger lots. The land acquisition actions are compatible and consistent with that purpose. Individual elements of the Project are either water-dependent or water-related as they support the Coast Guard's water-dependent mission.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The future demolition, rehabilitation, and/or construction of buildings would be consistent and compatible with surrounding land or water uses. The purpose of the future modifications is to replace or rehabilitate landside infrastructure.
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. However, the renovation would be compatible with the Urban Industrial shoreline environment.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Replacement, upgrades, and modernization of utilities at the Base would be consistent and compatible with surrounding land or water uses and would be compatible with the Urban Industrial shoreline environment.
Seismic Soil Stabilization	**Consistent.** Seismic soil stabilization would be consistent and compatible with surrounding land or water uses and would be compatible with the Urban Industrial shoreline environment.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would be consistent and compatible with surrounding land or water uses and would be compatible with the Urban Industrial shoreline environment.
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would be consistent and compatible with surrounding land or water uses and would be compatible with the Urban Industrial shoreline environment.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would be consistent and compatible with surrounding land or water uses and would be compatible with the Urban Industrial shoreline environment.

22. Does the proposed activity include in-stream structures, as defined by WAC 173-26-241(3)(g)?

No.

23. Does the proposal include mining activities, as defined by WAC 173-26-241(3)(h)?

No.

24. Does the proposed activity include recreational development, as defined by WAC 173-26-241(3)(i)?

No.

25. Does the proposed activity include residential development?

No. The Coast Guard proposes to construct a new Unaccompanied Personnel Housing (UPH) facility to house junior enlisted active-duty Coast Guard personnel. However, the purpose is not residential in nature, but necessary for meeting mission requirements. Since it will be located on federal property, it is exempt from the CZMA consistency determination, however, it is also unlikely to have any spillover effects.

26. Does the proposed activity include transportation and parking per WAC 173-26-241(k)?

No. The Project does not include transportation and parking contemplated in WAC 173-26-241(k). The Project provides land acquisition for expanded parking and flexible use space, which once acquired would occur on federal property. Expanded parking and associated space for vehicle circulation would occur on Terminal 46. The Terminal is currently used for Port functions associated with the transport of goods. The Project also includes replacing or repairing all internal roads and hardscape features (e.g., curbing, sidewalks) as needed due to condition or association with facility improvements. However, these activities would occur wholly on federal property and would not result in spillover effects.

27. Does the proposed activity include utilities, as defined by WAC 173-26-241(3)(l)? These provisions apply to services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. On-site utility features serving a primary use, such as a water, sewer or gas line to a residence, are "accessory utilities" and shall be considered a part of the primary use.

Yes, existing Base utilities are deficient and do not meet current Coast Guard requirements and/or codes. Any necessary utilities, including communications (e.g., telephone, data, video, etc.), electrical, natural gas, sanitary sewer, potable water (including fire protection water supply), and storm sewer, would be replaced to address current deficiencies, to accommodate new development and land use patterns, and to improve reliability and resiliency. Replacing and upgrading these utilities would include excavating existing utility corridors, replacing utility lines (each estimated to average 3,500 linear feet), installing power poles, installing lift and pump stations, installing pier-side power mounds and utility vaults, extending existing utilities to relocated infrastructure and/or piers, and installing a new Base-wide Public Address system for daily operational and emergency announcements. Removing and replacing fueling systems and related storage systems would also occur. All connections would be within the expanded Base boundaries. These utility system upgrades would be designed associated with the land acquisition and pattern of development. Utilities would be located within existing corridors when feasible. There would be no net loss of shoreline function. All utility upgrades would be within the boundary of Base Seattle after land acquisition is complete. However, there would be no spillover effects from utility upgrades.

28. Does the proposed activity include shoreline stabilization, as defined in WAC 173-26-231(3)(a)(i)?

No. The Project does not include new shoreline stabilization; however, modification or rehabilitation of the shoreline (i.e., Terminal 46) may be required as part of this projects. It does propose seismic stabilization measures that would occur within Base Seattle, which is not subject to the SMA and would not result in spillover effects.

29. Does the proposed activity include beaches and dune management?

No.

30. Does the proposed activity include piers and docks? Describe how the proposal is consistent with WAC 173-26-231(3)(b).

Yes. The acquisition and renovation of a portion of existing piers at Terminal 46, which would provide two additional berth for Coast Guard vessels. This use would be consistent with the designated water-dependent use. These berths are not currently available for public access and would not be publicly accessible after Coast Guard acquisition for security reasons. These additional berths are necessary for the continued implementation of the Coast Guard mission. This use would be consistent with the WAC.

31. Does the proposed activity include breakwaters, jetties, groins, or weirs?

No.

32. Does the proposed activity include dredging and/or dredge material disposal? Describe how the proposal is consistent with WAC 173-26-231(3)(f).

No. The proposed expansion and modernization of Base Seattle would not require dredging or dredge material disposal to the maximum extent practicable. See table below for additional information.

Key Elements	Consistency Determination
Land Acquisition	**Consistent.** Land acquisition would not require any new dredging or maintenance dredging.
Buildings - Demolition/ Rehabilitation/ Construction	**Consistent.** The Project would replace or rehabilitate failing infrastructure within its existing footprint or within the existing built environment and would not result in the need for either new dredging or maintenance dredging.
Terminal 46	**Consistent.** The future renovation of Terminal 46 has not been designed. However, since Terminal 46 would be rebuilt in place and effectively in kind, it would not require any new dredging or maintenance dredging outside of that which currently occurs to maintain an operable pier.
Utility Replacement, Upgrade, and Modernization	**Consistent.** Utility replacement, upgrade, and modernization would not require any new dredging or maintenance dredging.
Seismic Soil Stabilization	**Consistent.** The installation of stone columns within the Base and acquired lands would not require any new dredging or maintenance dredging.
Upgrades to Base Security and Fencing	**Consistent.** Upgrades to Base security and fencing would not require any new dredging or maintenance dredging.

Key Elements	Consistency Determination
Expanded Parking and Flexible Use Space	**Consistent.** The expansion of Base parking and flexible use space would not require any new dredging or maintenance dredging.
Repair of Internal Road Surfaces, Hardscaping, and Landscaping	**Consistent.** The repair of road surfaces, hardscaping, and landscaping would not require any new dredging or maintenance dredging.

33. Does the proposed activity include shoreline habitat and natural systems enhancement projects?

No.

3.1.2 Consistency Determination

Based on the evaluations above, the Coast Guard has determined that the near-term land acquisition and shoreside construction of the proposed Project is consistent to the maximum extent practicable with the enforceable policies of the approved Washington SMA.

Future construction (i.e., in-water and over-water) and shoreside infrastructure rehabilitation and development designs and implementation methods associated with the Project have not yet been identified, approved, or permitted; nevertheless, the Coast Guard is committed to comply with conditions of all required permits and approvals issued in support of the Project (e.g., CWA Section 404 permit, CWA Section 401 Water Quality Certification). To that end, the Coast Guard is committed to implement BMPs that will guide future waterside and shoreside infrastructure design and implementation and ensure consistency with enforceable policies of the Washington CZM Program.

3.2 Clean Water Act / Washington Water Pollution Control Act (RCW 90.48)

3.2.1 Clean Water Act / Washington Water Pollution Control Act

As described in Section 1, the Coast Guard has plans for expansion and modernization of Coast Guard Base Seattle (Base Seattle) located along the East Waterway of the lower Duwamish River south of Elliott Bay. Several key elements of the proposed project will require in-water work and other elements will require construction stormwater management. As such, the following analysis describes the Projects consistency and planned compliance with the federal Clean Water Act.

1. **Does the WPCA apply to the proposed activity?**

   No, as a branch of the federal government, the Coast Guard is not subject to state laws such as the WPCA. However, the Coast Guard is required to comply with the federal Clean Water Act. For the purpose of this consistency determination, the remaining responses are in light of the Coast Guard's obligation to comply with the CWA as well as consistency with the enforceable policies of the WPCA under the CZMA.

2. **Does your proposal require a federal license/permit from one or more of the following federal agencies? Check all that apply.**

   Yes.

   ☒The United Stated Army Corps of Engineers (Corps) – Depending on extent of in-water work at Terminal 46 that is conducted under CERCLA.

   ☒ Section 404

   ☒ Section 10

   ☐The United States Coast Guard (Coast Guard)

   ☐The Federal Energy Regulatory Commission (FERC)

3. **Does the Corps plan to issue a Nationwide Permit (NWP)?[3]**

   Key elements of the Project that may result in the dredging or discharge of dredged material have not been designed, such as the renovation of the portion of Terminal 46 that is ultimately acquired. Once designed, the Coast Guard would seek CWA approvals and permits for construction, as appropriate. It is likely that NWP 25 Structural Discharges may be applicable to the in-water work. It could also meet the programmatic conditions for Section 401 State Water Quality Certification requirements, as it does not appear that any the elements would trigger any of the Section 401 WQC General State Conditions. However, a separate assessment of Sections 401 and 404 requirements would be conducted at the time design is developed. The Coast Guard would implement any necessary mitigation needed to comply with CWA permits.

   Rehabilitation of Terminal 46 is included in the proposed action but may require certain work to be accomplished under CERCLA authorities.

[3] Note that the programmatic CZM decision for the NWPs are not applicable to a federal agency, as they must follow the federal consistency requirements outlined in 15 CFR Part 930 Subpart C.

4. **Is an individual Section 401 WQC required for the proposal?**

   No. Based on the current understanding of the key elements that could require in-water work, they would not trigger any of the Section 401 WQC General State Conditions requiring an individual Section 401 WQC. However, a separate assessment of Section 401 requirements would be conducted at the time design is developed.

5. **Does the proposal include the discharge of waste materials from construction, industrial, commercial, and municipal operations into ground and surface waters of the state or municipal sewerage systems, that would require a National Pollutant Discharge Elimination System (NPDES) and/or State Waste Discharge Permit?**

   Construction activities that disturb one or more acres are regulated under the USEPA NPDES Stormwater Permit Program and require a Construction Stormwater General Permit administered by Ecology. As part of compliance with this program, regulated construction sites are required to: develop SWPPPs; implement sediment, erosion, and pollution prevention control measures; and obtain coverage under the Construction Stormwater General Permit. As noted above, Base Seattle currently meets USEPA's no exposure exclusion and therefore does not require a NPDES/Municipal Separate Storm Sewer System (MS4) permit. Modernization activities would not result in an increase of impervious surfaces within Base Seattle or the adjacent acquisition parcels, and operational activities would remain consistent with activities conducted at Base Seattle today. The Coast Guard anticipates that the Base would continue to meet USEPA's no exposure exclusion.[4] Improvement, upgrade, and/or replacement of aging infrastructure would reduce the potential for leaks and/or failures of the existing stormwater management system. Adjacent properties encompass a mix of Port of Seattle and City-owned stormwater facilities, which are managed separately. Although design details and stormwater management plans have not yet been completed, the Coast Guard will work with the Port of Seattle and City to ensure separate stormwater flows and/or management needs are met.

6. **Does the proposal have a discharge to, or include activities that occur in or adjacent to, any surface waters of the state of Washington, including wetlands?**

   The proposal includes in-water construction activities to rehabilitate portions of Terminal 46. Because construction details for this proposed work is not known at this time (i.e., number and type of piles to support decking, duration of construction activities, installation of sheet piles to stabilize shoreline), likely impacts on water resources cannot be fully predicted at this time. However, the Coast Guard would implement the USEPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State (USEPA, 2016). See also BMPs 1-20 regarding measures to be incorporated into future projects to avoid or minimize potential impacts to surrounding waters. Rehabilitation of Areas 1 and 3 of Terminal 46 would include the removal of creosote-coated timber piles, which would be replaced with either concrete or composite piles. Creosote is considered a contaminant that adversely affects water quality and removal of creosote-treated timber piles is typically considered a beneficial effect on water quality. In-water work may also include installation or replacement of shore stabilizing sheet piles or bulkheads that may alter the underwater slopes adjacent to Base Seattle. While changes in underwater slopes may result in changes to water depths, these structures would be engineered to be flood resistant and not increase the potential for coastal flooding to occur. As design progresses, the Coast Guard will determine the appropriate permits required under the CWA (e.g., Section 401 Water Quality Certification and Section 404 permit) and

[4] Under the conditional no-exposure exclusion (40 CFR §122.26[g]), operators of industrial facilities subject to stormwater regulations have the opportunity to certify to a condition of "no exposure" if their industrial materials and operations are not exposed to stormwater.

prepare and submit the permits prior to any construction activities.

Staging and construction support activities will have the potential to result in short-term adverse impacts to water quality. Stormwater runoff would continue to be generated from rain events that result in sheet flow over impervious surfaces, including paved streets, parking lots, and building rooftops. Stormwater runoff picks up pollutants, like trash, chemicals, oils, and dirt/sediment that can degrade adjacent waterways and wildlife habitat. The proposed modernization of Base Seattle would include improvements, upgrades, and/or replacement of aging stormwater systems, which would result in an overall better functioning system. Base Seattle currently meets USEPA's no exposure exclusion and therefore does not require a NPDES/Municipal Separate Storm Sewer System (MS4) permit. Modernization activities would not result in an increase of impervious surfaces within Base Seattle or the adjacent acquisition parcels, and operational activities would remain consistent with activities conducted at Base Seattle today. The Coast Guard anticipates that the Base would continue to meet USEPA's no exposure exclusion.[5] Improvement, upgrade, and/or replacement of aging infrastructure would reduce the potential for leaks and/or failures of the existing stormwater management system. Adjacent properties encompass a mix of Port of Seattle and City-owned stormwater facilities, which are managed separately. Although design details and stormwater management plans have not yet been completed, the Coast Guard will work with the Port of Seattle and City to ensure separate stormwater flows and/or management needs are met. Although the proposed modernization is anticipated to increase parking area, the overall pollution generating pavement/impervious surface coverage and resultant runoff is expected to be consistent with existing conditions as Base Seattle and the surrounding properties are already developed with impervious surfaces. No change to stormwater management or water quality degradation is anticipated. Port-owned properties would still manage stormwater through their agreements with the USEPA for treatment and would not discharge to adjacent waterbodies.

Following construction, Coast Guard operations will remain identical to existing operations at Base Seattle; however, there would be an increase in total personnel, which would translate to an increase in day-to-day vehicles entering the facility. Vehicles and equipment used for facility operations would entail the use of fuels, oils, lubricants, and other petroleum-related products. Accidental releases of petroleum and other related products from vehicles and equipment would be limited by proper maintenance, inspection, and operation, as well as implementation of the SWPPP and the SPCC Plan. In the event of an accidental release, cleanup would take place, booms and other spill containment equipment kept on hand would be deployed immediately, and the source of the release would be determined and secured.

7. **Does the proposal include the fill of wetlands or any other impacts to wetlands that are not authorized under a Section 401 WQC or Agreed Order (AO)?**

   No, the proposal does not include the fill of any wetlands or any other impacts to wetlands.

8. **Does the proposal have a discharge to, or include any activities that may have potential impacts to, a designated freshwater use described in WAC 173-201A-600 and WAC 173-201A-602?**

   No, the proposal does not have potential impacts to a designated freshwater use.

9. **Does the proposal have a discharge to, or include any activities that may have potential impacts to, a designated marine waters use described in WAC 173-201A-610 and WAC 173-201A-612?**

[5] Under the conditional no-exposure exclusion (40 CFR §122.26[g]), operators of industrial facilities subject to stormwater regulations have the opportunity to certify to a condition of "no exposure" if their industrial materials and operations are not exposed to stormwater.

Base Seattle appears to be just south of the marine water identified in WAC 173-201A-612 as "Elliott Bay east of a line between Pier 91 and Duwamish Head." Base Seattle is located in the East Waterway of the lower Duwamish River, south of Elliott Bay. Therefore, Base Seattle is outside a designated marine water. However, the only in-water activities being proposed as part of the Project would be renovating a portion of Terminal 46. All necessary permits would be acquired for shore-term discharges associated with that construction. No discharges or impacts to designated waters are expected.

10. Describe any proposed mitigation activities that are relevant to the impacts described in this "Surface Waters Impacts" subsection.

The Coast Guard will require its contractors to implement all BMPs related to Water Resources described in Attachment A. In addition, the Coast Guard would implement any requirements as a result of federal consultation and permitting. These include the following:

- Contractor shall adhere to USEPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State (USEPA, 2016).
- Contractor shall implement requirements from consultation pursuant to the Endangered Species Act, Marine Mammal Protection Act, and Magnuson-Stevens Fishery Conservation and Management Act. If required, the Coast Guard will prepare a Water Quality Certification request under CWA Section 401and submit a CWA Section 404 (b) (1) evaluation to assess the potential water quality impacts of the Project and implement any Section 404 permit conditions.
- Contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for any project disturbing 1 or more acres.
- Contractor shall prepare a Spill Prevention, Control, and Countermeasure (SPCC) Plan, as necessary and appropriate, to outline procedures to be followed to minimize the likelihood of an accidental spill of petroleum product and to respond in the event of an accidental spill of petroleum product. The SPCC Plan will provide maintenance and/or operational guidance to include, but not limited to:
    - Regular inspection of vehicles and equipment
    - Ensuring that vehicles and equipment are in good physical condition (e.g., no leaks)
    - Specifications to ensure that refueling will not occur on site or will only occur in designated areas that have been identified to eliminate the potential for accidental spills to migration offsite or into waters.
    - The SPCC Plan will identify procedures to ensure that land-based spills will not migrate to groundwater or adjacent surface waters.
- Contractor shall incorporate stormwater infrastructure designs that direct stormwater runoff away from structures / facilities in accordance with all applicable federal regulations, guidelines, and design directives/codes.
- Contractor shall incorporate a hazardous waste storage area(s) as necessary into the design documents in accordance with all applicable federal regulations, guidelines, and design directives/codes.
- Contractor shall ensure that all disturbed slopes or other graded features are properly stabilized. The construction shall be phased to minimize disturbed ground, exposed area, and sediment runoff/fugitive dust potential. Cover stockpiled soil and dump truck loads; use windbreak enclosures; and apply water and / or other soil stabilizers. Any water released during fugitive dust control will be managed to ensure that no water has the potential to be discharged to Elliott Bay

- Contractor shall ensure that any storm water runoff from the construction site is controlled/released to proper storm water channels and clear of any contaminants. BMPs established in the SWPPP will be followed.
- Contractor shall ensure that no water, waste stream, or other materials are discharged into storm channels without written pre-approval from the Coast Guard Environmental Representative.
- Contractor shall provide proper storage of hazardous materials during construction, implement routine procedures and practices to prohibit the storage of uncovered hazardous substances in outdoor areas, and ensure that all paints, solvents, and equipment used in painting are handled per project specific SWPPPs and are not washed out on the ground.
- Contractor shall ensure that all portable toilets are staked or tied down to prevent spillage. Portable toilets may not be placed within 20 feet of any storm channel or natural drainage.

11. Using the Water Quality Atlas as a reference, are there any Category 4a and 5 listings that apply to the proposed activity area? If so, note the parameter(s) and describe how the proposed activity will not exceed the Total Maximum Daily Loads (TMDLs) (or other water quality improvement project) assigned to this area.

Yes, the East Waterway of the lower Duwamish River adjacent to and upstream from Base Seattle is a Category 5 for HPAH and dissolved oxygen. Only two key elements of the project would result in in-water work. These elements include the renovation of the portion of Terminal 46. The replacement of pier structures associated with Terminal 46 could result in some short-term spillover effects related to dissolved oxygen if the construction causes increased levels. However, the removal of the old structures could help reduce HPAH levels if they are a source.

12. Does the proposal impact marine sediment quality, as defined by WAC 173-204-200(14)? Describe how the proposal will have no impact to marine sediment quality.

The Project could impact marine sediment quality through the removal and installation of pilings associated with Terminal 46. The Coast Guard would implement USEPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State (USEPA, 2016) to minimize this effect. These BMPs are designed "to protect water, sediment and habitat quality by minimizing turbidity, sediment disturbance and debris re-entry to the water column and benthic zone during pile removal/placement activities." It is unlikely that the limited amount of in-water work would impact marine sediment quality as defined by WAC 173-204-200(14). There would be no discharge of fresh water or dilution of salinity in the Project area.

The southern end of Terminal 46 is within or adjacent to OU 10 of HISS. Depending on the exact location and nature of any in-water work in this area (wharf area immediately on the north side of Slip 36; refer to Figure 2), such work may occur within OU and therefore may require the work, in whole or in part, to be conducted as part of a CERCLA removal action. Because the details of future work to this area, the extent of contamination in this area, and the potential for work to occur within OU 10 are not currently known, it is assumed for purposes of this consistency evaluation that rehabilitation of this area would not be conducted as part of a CERCLA removal action and consequently is part of the Project. Should all or part of this work be required to be conducted under CERCLA, the removal action would likely include removal of contaminated sediment, additional work to address source materials for contamination, shoreline stabilization as contaminated sediment is removed, and, if necessary for Coast Guard use, replace/restore functional use of the pier for Coast Guard operations.

The use of heavy equipment could result in ground-borne vibrations; however, shoreside-related construction vibrations are expected to be minimal and would not result in the resuspension of

sediments or associated contaminants within the water column (ground-borne vibration dissipates rapidly with distance from the source). If vibrations would be anticipated from unique construction needs or techniques, the Coast Guard will reevaluate potential effects on water quality resulting from vibrations, as necessary.

20. Does the proposal impact groundwater, as defined in WAC 173-200-020(12)? Describe how the proposal will have no impact to groundwaters.

Yes, the construction of certain key elements of the Project could impact groundwater. However, these would be spillover groundwater impacts and could be caused by the combination of increased potential for spills, and temporarily increased potential for contaminants percolating to groundwater in areas where impervious surfaces are temporarily removed during construction activities. However, all of these activities would occur on Federal lands. Additional groundwater impacts could result from ground-stabilizing activities such as installation of stone columns, which could alter groundwater flow, or injection of stabilizing grouting, which could alter groundwater flow or chemistry. These impact-driving issues will be controlled, to the extent practicable, through the implementation of the various measures to prevent exceedances of water quality standards, ensuring that spillover impacts to groundwater quality from upland construction would be minor. Following construction, current types of Coast Guard operations would continue unchanged at Base Seattle, including implementation of SPCC measures. Spills and other releases would be limited by proper maintenance, inspection, and operation of government owned equipment, as well as implementation of the existing SPCC Plan. In the event of an accidental release, cleanup would take place, booms and other spill containment equipment kept on hand would be deployed immediately, and the source of the release would be determined and secured.

21. Is the proposal not subject to the water quality standards for groundwaters of the state of Washington, according to WAC 173-200-010(3)?

Yes, as a branch of the federal government, the Coast Guard is not subject to state laws such as the WPCA or the Water Resources Act of 1971. All Project elements that could impact groundwater would take place on Federal lands and the Project would not result in spillover impacts as Stormwater Construction Permits would be obtained and measures would be taken to reduce potential impacts to groundwater.

22. Does the proposal include Underground Injection Control (UIC) wells? See WAC 173-218-040 for classifications.

No, the Project does not include UIC wells.

23. Does the proposal include discharges from domestic wastewater facilities to waters of the state?

No, the Project does not include discharges from domestic wastewater facilities.

24. Does the proposal include upland finfish facilities, as defined in WAC 173-221A-030?

No, the Project does not include upland finfish facilities.

25. Does the proposal include marine finfish rearing facilities, as defined in WAC 173-221A-030?

No, the Project does not include marine finfish rearing facilities.

26. Does the proposal include combined sewer overflow (CSO) sites not authorized by a water quality permit, as defined in WAC 173-245-020(6)?

No, the Project does not include CSO sites not authorized by a water quality permit.

27. **Does the proposal include the application of barley straw to waters of the state for the purposes of water clarification?**

    No, the Project does not include the application of barley straw.

28. **Does the proposal include aquatic noxious weed control?**

    No, the Project does not include aquatic noxious weed control.

29. **Does the proposal involve the control of Eurasian water milfoil?**

    No, the Project does not involve the control of Eurasian water milfoil.

3.2.2 Consistency Determination

The proposed Project will be compliant with the CWA and is consistent with applicable policies of the SMA pursuant to the CWA/WPCA. The Coast Guard will submit an NPDES permit application and associated SWPPP to USEPA under Section 402. The Coast Guard has identified multiple BMPs in its proposed Mitigation Monitoring and Reporting Program that will be reflected in its Water Quality Protection and Monitoring Plan and SWPPP (refer to Attachment A).

This determination is based on the commitment to implement special procedures identified within this determination, commitment to employ BMPs developed specifically to address water quality (See Attachment A), and the obligation of the Coast Guard to comply with the terms, conditions, and regulatory requirements of issued permits. Both the near-term acquisition and operational uses and future construction are anticipated to be compliant with CWA Section 402 and consistent with the relevant SMA policies.

Prior to construction of any in-water key element work, the Coast Guard will seek any necessary CWA Section 401 WQCs and Section 404 permits, as well as comply with Section 10 of the Rivers and Harbors Act, as appropriate.

3.3 Clean Air Act/Washington Clean Air Act (RCW 70.94)

3.3.1 Clean Air Act/Washington Clean Air Act

Ecology provides the systematic control of air pollution from air contaminant sources and for the proper development of the state's natural resources. For that responsibility, the Ecology has established technically feasible and reasonably attainable standards and established rules generally applicable to the control and/or prevention of the emission of air contaminants (WAC 173.400 through 173.495). As part of the Project, the Coast Guard will implement BMPs focused on reducing impacts to air quality. See Attachment A: Best Management Practices.

1. **Does the WCAA apply to the proposed activity?**

   No, as a military branch of the federal government, the Coast Guard is not subject to state laws such as the WCAA. However, the Coast Guard is required to comply with the federal Clean Air Act. For the purpose of this consistency determination, the remaining responses are in light of the Coast Guard's obligation to comply with the CAA, as well as consistency with the enforceable policies of the WCAA under the CZMA.

2. **Using the Washington clean air agencies map, note which air agencies apply to the proposed action based on location.**

   This project is within the Puget Sound Clean Air Agency.

3. **Describe conversations and correspondence with state or local clean air staff regarding the applicability of the WCAA to the proposed activity.**

   As noted above, the Coast Guard is not subject to state or local laws and therefore has not had specific conversations or correspondence with state or local clean air staff regarding this project.

4. **List and describe any air quality permits (e.g., operating or notice construction permit) that are required for the proposal. If not applicable, please explain. Describe whether the proposed activity contains any permanent stationary sources and whether those sources need to be registered per WAC 173-400-099. Be sure to cite conversations state or local clean air staff in your response.**

   Unless conditions change (e.g., the region's air quality ceases to be in attainment or if USEPA lowers thresholds significantly to require minor sources of emissions to apply for Title V permits), it is unlikely that new or renovated facilities will require Title V operating permits administered by the Department of Ecology. Implementation of the Project and associated Air Quality BMPS would result in *de minimis* increases in air emissions. The difference in criteria pollutant emissions by implementing the Project would not have a measurable change in effects within the airshed. Similarly, the Project would not change the airshed's attainment status. No CAA permits are anticipated.

5. **Does the proposed activity include nonroad engines, as defined in WAC 173-400-030(59)? Describe how the proposal is consistent with the fuel standards in WAC 173-400-035(3).**

   Yes, the proposed activity will include nonroad engines. All nonroad engines will use ultra-low sulfur diesel or ultra-low sulfur biodiesel (a sulfur content of 15 ppm or 0.0015 percent sulfur by weight or less), gasoline, natural gas, propane, liquefied petroleum gas (LPG), hydrogen, ethanol, methanol, or liquefied/compressed natural gas (LNG/CNG).

   Does the proposal require the installation and operation of nonroad engines with a cumulative maximum rated brake horsepower (BHP) greater than 500 BHP and less than or equal to 2000 BHP?

   Yes. However, all construction activities would occur on federal lands not subject to state or local requirements.

6. **Does the proposed activity include sources or emission units, as defined by WAC 173-400-030 (84) and (31), respectively?**

   Yes.

   Describe how the proposal is consistent with the visible emissions requirements in WAC 173-400-040(2).

   The Coast Guard will not cause or allow emissions for more than 3 minutes, in any 1 hour, of an air contaminant from any emissions unit which at the emission point, or within a reasonable distance of the emission point, exceeds 20 percent opacity as determined by Ecology. Implementation of air quality focused BMPs will reduce potential spillover effects. Exceptions include:

   - Soot blowing or grate cleaning;
   - The Coast Guard supplies valid data that shows that the presence of uncombined water is the only reason for the opacity to exceed 20 percent or an alternative opacity standard established in this section;
   - When two or more emission units are connected to a common stack;
   - Hog fuel or wood-fired boilers in operation before January 24, 2018;

- Furnace refractory;
- Visible emissions reader certification testing;
- Military training exercise;
- Firefighter training.

Describe how the proposal is consistent with the fallout requirements in WAC 173-400-040(3).

The Coast Guard will not cause or allow the emission of particulate matter from any source to be deposited beyond the Base property in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.

Does the proposed activity produce fugitive emissions, as defined in WAC 173-400-030(41)?

Yes.

Describe how the proposal is consistent with the requirements in WAC 173-400-040(4).

With respect to materials handling, construction, demolition, or other operation that may be a source of fugitive emission:

- The Coast Guard will take reasonable precautions to prevent the release of air contaminants from its operation, including but not limited to minimization of exposed soils, minimization of the total amount of surface disturbance at any one time, covering dump truck loads, use of windbreak enclosures, and covering/watering any exposed or stockpiled soils. See BMP AQ-23 in Attachment A.
- The Coast Guard will use reasonable and available control methods, including best available technology, processes, or other control strategies, to control emissions of the air contaminants, particularly for which any nonattainment either has been or may be designated.

Describe how the proposal is consistent with the odor requirements in WAC 173-400-040(5).

No odor-generating activities are anticipated to result from Project development. The nature of infrastructure and facilities construction—as well as Base operations—are consistent with ongoing and projected activities in the surrounding industrial, port, and waterside environments.

Describe how the proposal does not cause or allow the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business, as required in WAC 173-400-040(6).

Criteria air pollutant emissions would occur as a result of construction, demolition, and renovation activities associated with the Project. However, the implementation of air quality focused BMPs will limit emissions. These emissions would occur episodically throughout the lifetime of the program associated with the planned major construction projects. Emissions would begin with staging and construction support activities. Any temporary rerouting of traffic within the vicinity of the Base (e.g., along Alaskan Way South during periods of demolition debris export) would likely result in short-term increases in mobile source criteria air pollutant emissions as a result of associated increases in trip lengths. However, these increases in trip lengths would be limited (i.e., less than 5 miles) and temporary for the duration of construction activities. The Contractor would be responsible for preparing and implementing a Traffic Management Plan that would establish clear traffic routing and minimize detours. Heavy haul truck trips would be required to deliver construction equipment and materials to and from construction sites with resultant emissions. Similarly, construction workers would commute to construction sites on a daily basis with resultant emissions. Additional construction traffic, including export of demolition debris, delivery of materials, and construction worker commutes would increase the number of vehicles transiting on local and regional roadways.

Hazardous air pollutants (HAPs) could also be generated during staging and construction support activities as a result of the generation, use, and storage of hazardous materials and wastes. The generation, use, and storage of such hazardous materials and wastes however would be in limited quantities and in compliance with all applicable federal, state, and local laws, regulations, and guidance, as necessary, which would reduce the potential for emission of these materials into the air.

As detailed above, the use of heavy construction equipment would generate short-term increases in criteria air pollutant emissions. The details of such activities (e.g., required construction equipment, hours of operation, operating conditions) are not currently known for the proposed modernization; however, criteria air pollutants associated with heavy construction equipment would be similar to those used in most common construction activities. The contractor would adhere to the emission limits for the engines as regulated by Ecology. Nevertheless, even with conservative assumptions (e.g., all heavy equipment in operation for 8 hour per day, 5 days per week, 12 months per year) would remain below *de minimis* thresholds defined at 40 CFR §93.153, ensuring no air contaminants will be detrimental to the health, safety or welfare of any person and will not cause damage to property or business.

It should also be noted that heavy construction equipment is currently in operation within the airshed and may be redistributed in support of the proposed construction, demolition, and renovation activities. Therefore, these emissions may not necessarily constitute new sources of emissions.

The proposed Project is anticipated to remain in compliance with the CAA and SIP. This is not a transportation project; it does not qualify as a major stationary source of emissions of criteria pollutants and the Project is not located in a non-attainment area for limited air quality. Further, the Coast Guard has committed to implement BMPs, environmental commitments, and special procedures specific to air quality for Project implementation and mitigation monitoring and reporting to avoid impacts to air quality to the maximum extent practicable.

Describe how the proposal is consistent with the sulfur dioxide requirements in WAC 173-400-040(7).

Through air emissions monitoring and implementation of BMPs, the Coast Guard will not cause or allow the emission of a gas containing sulfur dioxide from any emissions unit in excess of 1,000 ppm of sulfur dioxide on a dry basis, corrected to 7 percent oxygen for combustion sources, and based on the average of any period of 60 consecutive minutes.

Describe how the proposal does not cause or allow the installation or use of any means which conceals or masks – as defined in WAC 173-400-030 (21) and (49), respectively – an emission of an air contaminant which would otherwise violate the general standards for maximum emissions, as required in WAC 173-400-040(8).

The Coast Guard would adhere to all federal requirements and would not conceal or mask emissions.

Does the proposed activity produce fugitive dust, as defined in WAC 173-400-030(40)? Describe how the proposal is consistent with the requirements in WAC 173-400-040(9).

Yes. Fugitive dust will be generated during facility construction activities, including from demolition of pavements and sidewalks as well as excavation and grading in support of proposed development. Fugitive dust emissions generated by such activities can vary substantially depending on levels of activity, specific operations, and prevailing meteorological conditions. The standard dust emission factor for general non-residential construction activity is conservatively estimated at 0.42 tons of PM10 generated per acre per month of activity (USEPA 2006). Per procedures documented in the National Emissions Inventory (USEPA 2006), PM2.5 emissions are estimated by applying a particle size multiplier of 0.10 to PM10 emissions. The USEPA National Emissions Inventory documentation assumes that emissions resulting from construction-related activities are uncontrolled. However,

fugitive dust resulting from demolition and grading activities can be reduced through the implementation of standard dust minimization practices, including regularly watering exposed soils and soil stockpiling. When implemented, these dust minimization measures can reduce dust generation by up to 50 percent (USEPA 2006). For more information see Air Quality BMP No. 23-25.

7. **Does the proposal involve any indoor or residential burning?**

   The Project includes no burning activities.

3.3.2 Consistency Determination

Both the near-term acquisition and operational uses and future construction will be compliant with the CAA, and consistent with the applicable policies of the SMA pursuant to the CAA/WCAA. This determination is based on the commitment to implement special procedures identified within this determination and to employ BMPs developed specifically to address air quality (See Attachment A).

4. Statement of Consistency

The following section provides the overall consistency determination for the proposed Project in terms of both near-term land acquisition and shoreside construction and the expected consistency of future shoreside construction.

4.1 Near Term Land Acquisition and Operational Use

Based on the evaluations above, the Coast Guard has determined that the near-term land acquisition and shoreside construction of the proposed Project is consistent to the maximum extent practicable with the enforceable policies of the approved Washington CZM Program. The Coast Guard has reviewed and considered policies as specified in SMA to ensure consistency to the maximum extent practicable. The action is, therefore, consistent with Washington's CZM Program, to the maximum extent practicable.

4.2 Future Construction

Future construction (i.e., in-water and over-water) and shoreside infrastructure rehabilitation and development designs and implementation methods associated with the Project have not yet been identified, approved, or permitted; nevertheless, the Coast Guard is committed to comply with conditions of all required permits and approvals issued in support of the Project (e.g., CWA Section 404 permit, CWA Section 401 Water Quality Certification). To that end, the Coast Guard is committed to implement BMPs that will guide future waterside and shoreside infrastructure design and implementation and ensure consistency with enforceable policies of the Washington CZM Program. Based on the analysis in Section 3 and future permitting requirements, the Coast Guard has concluded that the action is consistent to the maximum extent practicable with Washington's CZM Program.

5. Citations

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USEPA. 2021. Green Book. Washington Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants. Available at: https://www3.epa.gov/airquality/greenbook/anayo_wa.html. Accessed on: 6 October 2021.

Attachment A: Permits and Best Management Practices

Permit and Authorization

All construction and site development activities would be completed in compliance with all design standards and with any required permits or approvals issued for site-specific work. In executing the construction activities described above, the Coast Guard will likely contract under a design-build process under which the selected contractor(s) will both design and construct Project elements based on established requirements. The Coast Guard will require contractors to comply with all permit conditions and control measures. Upon contract execution, the Coast Guard will implement a construction inspection contractor process to incorporate monitoring, reporting, and management of permitting requirements—and implementation of corrective action processes as required by individual permits.

Prior to implementation of Project elements not yet fully designed, the Coast Guard will prepare documentation and perform regulatory agency coordination and consultation, as appropriate and necessary, pursuant to NEPA, CZMA, the Endangered Species Act, Marine Mammal Protection Act, Magnuson-Stevens Fishery Conservation and Management Act, Migratory Bird Treaty Act, and all other applicable laws and regulations. Specifically, if required, the Coast Guard will prepare a Water Quality Certification request under CWA Section 401and submit a CWA Section 404 (b) (1) evaluation to assess the potential water quality impacts of the Project.

Best Management Practices

Best Management Practices (BMP) and special procedures relevant to water resources, air quality, biological resources, and cultural resources have been identified for Project implementation and are presented below. The full configuration, design, and extent of shoreside modification in the form of rehabilitation construction is unknown at this time; therefore, these BMPs are those that apply to the known elements of the Project.

Water Resources (WR)

Project elements that have not yet been designed (e.g., in-water and over-water infrastructure rehabilitation and modification activities) could include actions such as pile removal, pile installation, use of barges, etc. which could affect water resources. Prior to implementing the Project, the Coast Guard will consult with all appropriate regulatory agencies to determine BMPs, environmental commitments, and / or mitigation measures to avoid, minimize, or mitigate any potential adverse effects. BMPs and environmental commitments the Coast Guard has identified to ensure consistency of future projects with enforceable policies are presented below.

1. The Action Proponent (CG-43) and the contractors shall ensure that any project disturbing one or more acres submits a Storm Water Pollution Prevention Plan (SWPPP) pursuant to Section 402 of the CWA. The Action Proponent (CG-43) and the contractors shall ensure Storm Water Management Plans are submitted to the Coast Guard Environmental Representative for review a minimum of 21 working days prior to the commencement of work. The Coast Guard Environmental Representative is solely responsible for reviewing, providing comments, and approving SWPPP and Erosion Control Plans (i.e., these plans shall not be submitted to the State). The Action Proponent (CG-43) and the contractor shall ensure work does not commence until the SWPPP or Erosion Control Plan has been approved by the Coast Guard.
2. Construction, renovation, and upgrade of facilities and infrastructure would be accomplished in accordance with applicable laws and regulations, Coast Guard policy (Coast Guard 2014), and Coast Guard guidance (Coast Guard 2020). The Coast Guard would include design elements to

improve sustainability and resiliency in future construction. The Coast Guard would conduct construction in accordance with The Guiding Principles for Sustainable Federal Buildings and Associated Instructions (CEQ 2020) or applicable guidance at the time of construction to address vulnerability to sea level rise and commitments to structural resiliency, long-term sustainability (including minimization of energy consumption, greenhouse gas emissions, waste generation, etc.), and security.
3. To the extent practicable, all new facilities will be designed to the following standards: ▪ American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90.1 2019, Energy Standard for Buildings Except Low-Rise Residential Buildings ▪ ASHRAE Standard 189.1-2017, Standard for the Design of High-Performance Green Buildings ▪ CSTO Electric Vehicle Support Equipment (SILC CSTO-11 31 17 11-02) ▪ Guiding Principles for Sustainable Federal Buildings and Associated Instructions 2020 or current standard
4. All applicable permits (e.g., Clean Water Act Section 401, 402, 404) will be obtained prior to the start of any construction activities.
5. A Spill Prevention, Control, and Countermeasure (SPCC) Plan will be prepared to outline procedures to be followed to minimize the likelihood of an accidental spill of petroleum product and to respond in the event of an accidental spill of petroleum product. The SPCC Plan will provide maintenance and/or operational guidance to include: ▪ Regular inspection of vehicles and equipment; ▪ Ensuring that vehicles and equipment are in good physical condition (e.g., no leaks); and ▪ Specifications to ensure that refueling will not occur on site or will only occur in designated areas that have been identified to eliminate the potential for accidental spills to migration offsite or into waters. ▪ The SPCC Plan will identify procedures to ensure that land-based spills will not migrate to groundwater, adjacent surface waters, or upland areas with vegetation that may be used as food sources for terrestrial species.
6. The new infrastructure improvements shall be designed so that they do not increase flooding risks by substantially increasing peak runoff volumes. Designs shall consider, but not be limited to, including infiltration strips or porous paving in designsfor parking areas or other sites.
7. The design shall incorporate drainage swale designs that direct stormwater runoff or irrigation runoff away from the structures orthe top of the slopes to control drainage facilities. No stormwater shall be allowed todischarge over the top of a cut or fill slope.
8. The Coast Guard shall ensure that the design for all facilities include the necessary containment structures, wash stations, or water treatment facilities. Design shall meet Unified Facilities

Criteria (UFC), Federal, state, local, and Coast Guard requirements.
9. The Designer of Record shall ensure that project-related activities are in accordance with all applicable Coast Guard technical guidance and Executive Orders for water conservation.
10. The contractor shall conduct geotechnical studies before beginning excavation and grading to evaluate groundwater depth and shall use proper well construction methods (i.e., rotary drilling methods) to minimize impacts to groundwater.
11. The contractor shall ensure that all disturbed slopes or other graded features are properly stabilized. The construction shall be phased to minimize disturbed ground, exposed area, and sediment runoff/fugitive dust potential. Further, the contractor shall minimize areas of disturbance, cover stockpiled soil and dump truck loads; use windbreak enclosures; and apply water and / or other soil stabilizers. Any water released during fugitive dust control will be managed to ensure that no water has the potential to be discharged to Elliott Bay.
12. If contaminated soils are encountered, they shall be tested, used on site, or disposed of within a Class I hazardous waste landfill, or disposed of in the lined portion of a certified municipal landfill.
13. The Action Proponent (CG-43) and the contractor shall ensure that no projects are closed that have stormwater requirements or permits without written consent from the Coast Guard Environmental Representative.
14. The Action Proponent (CG-43) and the contractor shall ensure that the contractor adheres to Coast Guard policies water conservation measures.
15. The Action Proponent (CG-43) and the contractor shall ensure that any storm water runoff from construction site is controlled/released to proper storm water channels and clear of any contaminants. BMPs established in the SWPPP will be followed.
16. Action Proponent (CG-43) shall ensure that no water, waste stream, or other materials are discharged into storm channels without written pre-approval from the Coast Guard Environmental Representative.
17. All stockpiled material will use dust control measures (e.g., cover, hydroseed) and will be stored in a manner that shall prevent runoff in the event of overwatering of the site or a storm event.
18. The Action Proponent (CG-43) and the contractor shall ensure that all paints, solvents, and equipment used in painting are handled per project specific SWPPPs and are not washed out on the ground.
19. The contractor shall ensure that all disturbed slopes or other graded features are properly stabilized. The construction shall be phased to minimize disturbed ground, exposed area, and sediment runoff/fugitive dust potential. Further, the contractor shall minimize areas of disturbance, cover stockpiled soil and dump truck loads; use windbreak enclosures; and apply

water and / or other soil stabilizers. Any water released during fugitive dust control will be managed to ensure that no water has the potential to be discharged to Elliott Bay.
20. The construction contractor will exercise all appropriate precaution to minimize the release of any material into the adjacent waters should the removal of treated wood pilings require cutting. The contractor would implement USEPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State.

Air Quality (AQ)

BMPs, environmental commitments, and special procedures relevant to air quality and related resources have been identified for Project implementation and are presented below:

21. Construction, renovation, and upgrade of facilities and infrastructure would be accomplished in accordance with Coast Guard standards for new buildings. In accordance with applicable laws and regulations, Coast Guard policy (Coast Guard 2014), and Coast Guard guidance (Coast Guard 2020), the Coast Guard would include design elements to improve sustainability and resiliency in future construction. The Coast Guard would conduct construction in accordance with The Guiding Principles for Sustainable Federal Buildings and Associated Instructions (CEQ 2020) or applicable guidance at the time of construction to address vulnerability to sea level rise and commitments to structural resiliency, long-term sustainability (including minimization of energy consumption, greenhouse gas emissions, waste generation, etc.), and security.
22. To the extent practicable, all new facilities will be designed to the following standards: ▪ American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90.1 2019, Energy Standard for Buildings Except Low-Rise Residential Buildings ▪ ASHRAE Standard 189.1-2017, Standard for the Design of High-Performance Green Buildings ▪ CSTO Electric Vehicle Support Equipment (SILC CSTO-11 31 17 11-02) ▪ Guiding Principles for Sustainable Federal Buildings and Associated Instructions 2020 or current standard
23. The contractor shall ensure that all disturbed slopes or other graded features are properly stabilized. The construction shall be phased to minimize disturbed ground, exposed area, and sediment runoff/fugitive dust potential. Further, the contractor shall minimize areas of disturbance, cover stockpiled soil and dump truck loads; use windbreak enclosures; and apply water and / or other soil stabilizers. Any water released during fugitive dust control will be managed to ensure that no water has the potential to be discharged to Elliott Bay.

24. The contractor shall employ dust abatement measures to minimize fugitive dust emissions during construction. These measures may include watering or theapplication of a commercial polymer-based soil stabilizer product to the laydown and staging areas to semi-permanently eliminatedust emissions. The contractor shall obtain Coast Guard approval prior to the use or application of commercial polymer-based soil stabilizer products. To do so, the contractor shall designate personnel to monitor the dust control program and to increase dust suppression measures (e.g., watering or application of polymer-based soil stabilizer), as necessary, to minimize the generation of dust.
25. The Action Proponent (CG-43) shall ensure that the contractor ensures that fugitive dust from any transport, handling, construction, or storage activity does not remain visible in the atmosphere beyond the project or worksite footprint. The Action Proponent (CG-43) shall take every reasonable precaution to minimize fugitive dust emissions from demolition, excavation, grading, clearing of land, and solid waste disposal operations.
26. The Action Proponent (CG-43) shall ensure that the contractor adheres to the emission limits for engines as regulated by the Washington State Department of Ecology.
27. The Action Proponent (CG-43) shall ensure that the contractor ensures all paints, coatings, adhesives, and solvents use/applications follow the guidelines established by the Washington State Department of Ecology. A daily log shall be maintained of the volatile organic compounds (VOC) used or emitted. The log shall contain at least the following: type of equipment for application, type of material,manufacturer of material, quantity of each coating, solvent used, and its volatile organic compounds content (VOCs must be in pounds per gallon or grams per liter).
28. The Action Proponent (CG-43) shall ensure that the contractor ensures that refrigerant used in air conditioning units is a non-chlorofluorocarbon or hydrochlorofluorocarbon. The Action Proponent (CG-43) and the contractor shall take all necessary precautions (e.g., proper training,training certifications, and equipment) to ensure that no refrigerants are released to the atmosphere. If refrigerants are released, the contractor shall immediately notify the Coast Guard Environmental Representative of all refrigerant releases and estimated amount of release
29. The Action Proponent (CG-43) shall ensure that the contractor provides the following information to the Coast Guard Environmental Representative to register the equipment on the Refrigerant Management Inventory prior to being placed into service:equipment specifications (type, manufacture, model, model year, and serial numbers), installation date, refrigerant type,refrigerant charge (pounds), leak detection device (if applicable), location description (to include building number and floorplan of refrigerant placement), and system function.
30. All stockpiled material will use dust controlmeasures (e.g., cover, hydroseed) and will be stored in a manner that shall prevent runoff in the event of overwatering of the site or a storm event.

Biological Resources (BR)

BMPs, environmental commitments, and special procedures relevant to biological resources have been identified for Project implementation and are presented below:

31. Should construction activities occur outside of standard daylight working hours, lighting will be used to minimize upward light pollution and avoid spill-over into adjacent properties and water to

the extent practicable.

Cultural Resources (CR)

BMPs, environmental commitments, and special procedures relevant to cultural resources have been identified for Project implementation and are presented below:

32. Develop an Inadvertent Discovery Plan (IDP) in advance of permitting. The IDP will be reviewed and approved by the permitting agency and DAHP prior to construction. The IDP will be implemented during all project-related ground disturbing activities to minimize impacts to unanticipated discoveries of archaeological resources and/or human remains, human remains, funerary objects, sacred objects, and cultural patrimony. The IDP will include a preconstruction tailgate meeting to familiarize all contractor personnel with the IDP and the protocols that will be followed in the event of an unanticipated discovery. During ground disturbance activities, the Action Proponent (CG-43) and the contractor must stop work and immediately and notify the Coast Guard Environmental Representative if prehistoric artifacts are discovered. Under no conditions of inadvertent discovery are crews allowed to resume work until cleared by the Coast Guard Environmental Representative.