STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Southwest Region Office
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE

Date of Issuance: January 8, 2025

Lead Agency: Department of Ecology, Toxics Cleanup Program, Southwest Region

Agency Contact: Connie Groven, PE
UST and Technical Support Unit Supervisor
Western Port Angeles Harbor Site Manager
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Description of proposal:

Industrial development of the Harbor began in the late 1800s, with the founding and growth of the City of Port Angeles. Historical industries included sawmills, plywood manufacturing, pulp and paper production, other operations related to work processing, commercial fishing and fish packing , bulk fuel facilities, boat building and refurbishing, marinas, and marine shipping and transport. As a result of historical and current activities, hazardous substances in the Harbor pose risks for both human health and the environment.

The Project is a cleanup action plan for a portion of western Port Angeles Harbor. The Western Port Angeles Harbor (WPAH) Draft Cleanup Action Plan (Ecology, September 2024) summarizes the proposed cleanup action for the WPAH sediment cleanup unit (SCU) and provides an explanatory document for public review.

The Project is being conducted to satisfy Ecology's cleanup requirements for the WPAH SCU. The required action includes approximately 7 acres of intertidal excavation and subtidal dredging, 42 acres of engineered capping, 180 acres of enhanced monitored natural recovery (EMNR), and 950 acres of monitored natural recovery (MNR) over three sediment management areas (SMAs). Subject to final design and permitting requirements, the preferred cleanup action will include excavation of approximately 0.8 acres of 1970's era shoreline fill in SMA 2 (the "causeway") as the priority means of ensuring that aquatic habitat impacts are adequately mitigated, or if possible, avoided. Additional SMA 2 shoreline removal will be performed as needed to achieve the goal of avoiding, minimizing and mitigating for impacts to aquatic habitat.

In total, approximately 25,000 cubic yards (CY) of intertidal sediment and nearshore soils will be excavated, and approximately 280,000 CY of clean sand and gravel will be placed, requiring approximately six seasons of construction. Sediment cleanup levels (SCLs) are anticipated to be met across the SCU approximately 10 years following completion of construction. Prior to conducting the cleanup actions, a pre-design investigation (PDI) will be completed to address data gaps necessary for the final design of the remedy. The results of the PDI will be used to refine the estimated quantities described in the following paragraphs.

The Project cleanup actions in each SMA include:

- SMA 1: partial intertidal excavation/engineered capping and subtidal capping
- SMA 2: intertidal engineered capping, partial excavation of intertidal sediment with fill or engineered cap, partial excavation or dredge of intertidal and subtidal sediments with EMNR, subtidal EMNR, and partial excavation for habitat mitigation
- SMA 3: EMNR to an extent that surface-weighted average concentration (SWAC)-based SCLs will be achieved within 10 years following completion of construction

The Project action in SMA 1 includes placement of an engineered cap over approximately 33 subtidal acres. Subject to geotechnical and structural analyses of structures and final design, caps will be offset from existing structures as necessary to protect their integrity. The Project action in SMA 1 also includes partial (approximately 2 feet) excavation in up to 1.3 acres of contaminated intertidal sediments. The intertidal excavations will be backfilled to return these areas to current grade, obviating the need for aquatic habitat mitigation. Caps will be engineered for long-term stability and chemical isolation, including appropriate armoring to resist wave action, tidal currents, and propeller wash forces. Cap designs will be refined during remedial design to ensure that the remedy is protective under current and prospective future uses of SMA 1.

The Project action in SMA 2 includes partial excavation and backfill/cap in up to 2.0 acres of contaminated intertidal sediments, partial excavation/dredging and backfill or EMNR placement in up to 4.3 acres of intertidal and subtidal contaminated sediments, placement of a 2-foot-thick cap over up to an additional 6.4 acres of intertidal sediments, along with placement of an average 6-inch-thick EMNR layer over approximately 11 subtidal acres of SMA 2. Caps will be engineered for long-term stability and chemical isolation, including appropriate armoring to resist wave action and tidal currents, while providing site appropriate surface sediments for the establishment of intertidal and subtidal (eelgrass) vegetation. Capping of intertidal habitats will be minimized, to the extent practicable. Placement of engineered caps in up to 8.4 acres of intertidal sediments (delineated during remedial design) will result in loss of aquatic habitat. Subject to final design and permitting requirements, aquatic habitat will be mitigated on-site and in-kind by excavating existing upland fill soils along the SMA 2 shoreline (the causeway), resulting in no net loss of aquatic habitat. The specific location and layout of the shoreline upland excavation area required for aquatic habitat mitigation will be determined during remedial design and

permitting. Causeway removal will be prioritized before other SMA 2 shoreline removal. Additional SMA 2 shoreline removal will be performed as needed to achieve the goal of avoiding impacts to aquatic habitat.

The Project action in SMA 3 includes EMNR material placement over approximately 164 acres of SMA 3 to achieve SWAC-based SCLs approximately 10 years following completion of construction, as well as achieving point-by-point compliance with benthic SCLs immediately following completion of construction. Subject to final design, EMNR placement will be offset from existing structures as necessary to protect their integrity. Monitoring will be performed throughout the SMA (in both EMNR and MNR areas) during this 10-year period to verify compliance.

Location of proposal:

The Project is located near Port Angeles, Washington within parts of Township 31 N & Range 6 West and Township 30 North & Range 6 West. The WPAH SCU is a discrete subdivision of the larger sediment site designated by Ecology, and in this case, it is where contaminant concentrations in surface sediment exceed SCLs. The WPAH SCU includes areas to the south of Ediz Hook and west of the former Rayonier Mill study area.

Applicant/Proponent:

Those entities identified by Ecology as potentially liable parties for the WPAH Site, i.e., Port of Port Angeles; Georgia-Pacific LLC; Nippon Paper Industries USA Co, LTD.; City of Port Angeles; Merrill & Ring Inc.; and Owens Corning, that either agree to perform the remedial action under a forthcoming consent decree or are required to do so by another enforceable document.

Applicant Contact :

Jesse Waknitz – Environmental Manager
Port of Port Angeles
338 W. First St
Port Angeles, WA 98362
(360) 457-8527
jessew@portofpa.com

Determination:

Ecology has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). We have reviewed the attached Environmental Checklist, the Consent Decree and the Draft Cleanup Action Plan.

These documents are available at:

Port Angeles Public Library 2210 South Peabody Street Port Angeles, WA 98362	Ecology Lacey Office (by appointment) 300 Desmond Drive SE Lacey, WA 98503

The documents are also available at: **https://apps.ecology.wa.gov/cleanupsearch/site/11907.**

This determination is based on the following findings and conclusions:

- The purpose of this project is to protect human health and the environment by addressing concentrations of metals, dioxin and furans, polychlorinated biphenyls (PCBs), and carcinogenic polycyclic aromatic hydrocarbons (cPAHs), in surface intertidal and subtidal sediments within western Port Angeles Harbor. As such it is intended to significantly improve, rather than adversely impact environmental conditions.
- The project will minimize the footprint of disturbance to ecologically sensitive areas including salt marshes and eelgrass meadows.
- The project will maintain approximate habitat characteristics, including net elevations and inundation regimes, currently found in the lagoon.
- The project will achieve contaminated sediment removal by excavating or dredging sediment with the highest chemical concentrations consistent with the estimated sediment removal volumes of the conceptual design.
- The project will preserve future habitat restoration opportunities.
- EMNR layers will be applied in thinner layers over different years to minimize impacts to sensitive habitats.
- The need for and amount of mitigation will be confirmed in consultation with the United States Army Corps of Engineers (USACE) after the design for cleanup action has been developed.
- The total cleanup remedy is anticipated to result in no net loss of aquatic habitat area or function.
- Engineering design documents will be reviewed and approved by Ecology to ensure all on-site work will be performed in accordance with applicable standards and use of best management construction practices.
- The work will be conducted under the requirements of the following plans that will be reviewed and approved by Ecology before beginning work: Draft and Final Remedial Design Work Plans; Draft and Final Pre-remedial Design Evaluation Memos; Draft and

Final Engineering Design Reports; 30%, 60%, 90%, and 100% Plans and Specs; Draft and Final Construction Quality Assurance and Adaptive Management Plans; Draft and Final Operations, Maintenance and Management Plans; Annual Construction Progress Summaries; Draft and Final Cleanup Action Reports; Monthly Progress Reports; and Periodic Review.

- As part of its NWP 38 determinations, the Corps will consult with the Lower Elwha Klallam Tribe (LEKT) regarding treaty rights and will consult with federal services and LEKT to ensure that impacts to Endangered Species Act listed species and critical habitat are minimized. The NWP 38 will be issued with both standard and project-specific conditions that will inform the final design.

- The Ecology cleanup project manager or a contactor hired by Ecology will provide oversight during project construction.

- Best management practices will be used to reduce or mitigate impacts associated with construction, such as equipment noise and lights, construction traffic, inadvertent petroleum leaks and spills, diesel equipment emissions, etc.

- Institutional controls will protect humans, ecological and aquatic receptors from contacting contaminated media while contamination remains in place that exceeds SCLs.

Comment Period:

This DNS is issued under WAC 197-11-340. The comment period for this DNS corresponds with the comment period on the Environmental Checklist, the Consent Decree and the Draft Cleanup Action Plan. All comments received between January 16, 2025, 12:00 a.m. to February 18, 2025, 11:59 p.m. will be considered.

Please submit written comments:

Online (preferred)
https://go.ecology.wa.gov/comment11907

Or by mail or email:

Connie Groven, PE
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Washington State Department of Ecology
PO Box 47775
Olympia, WA 98504-7775
connie.groven@ecy.wa.gov

Responsible Official:

Marian L Abbett, PE
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marian.abbett@ecy.wa.gov

Signature: Marian L. Abbett

Marian L. Abbett, PE

Date: 1/8/2025

SEPA ENVIRONMENTAL CHECKLIST

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. The purpose of this SEPA environmental checklist is to provide information to determine if avoidance, minimization, or compensatory mitigation measures will address probable significant impacts, or if a more detailed environmental impact statement is required.

A. Background

1. Name of proposed project, if applicable:

Western Port Angeles Harbor (WPAH) Sediment Cleanup Unit (SCU) Project (Project)

2. Name of applicant:

Those entities identified by Ecology as potentially liable parties for the Western Port Angeles Harbor Site, i.e., Port of Port Angeles; Georgia-Pacific LLC; Nippon Paper Industries USA Co, LTD.; City of Port Angeles; Merrill & Ring Inc.; and Owens Corning, that either agree to perform the remedial action under a forthcoming consent decree or are required to do so by another enforceable document.

3. Address and phone number of applicant and contact person:

Jesse Waknitz – Environmental Manager
Port of Port Angeles
338 W. First St
Port Angeles, WA 98362
(360) 457-8527
jessew@portofpa.com

4. Date checklist prepared:

September 2024

5. Agency requesting checklist:

Washington State Department of Ecology (Ecology)

6. Proposed timing or schedule (including phasing, if applicable):

As described in the Draft Cleanup Action Plan (DCAP), in-water construction of the proposed Project in Port Angeles Harbor (Harbor; Figure 1) is anticipated to begin in 2027 or 2028 spanning approximately 6 years, followed by a 10-year post-construction monitoring period. The project schedule will be refined during remedial design and permitting, expected to commence in 2025. The applicant-selected contractors will make additional adjustments to determine the final construction sequencing and duration taking into account regulatory permit conditions and subject to Ecology approval.

In-water work will be timed to occur within approved work windows to prevent impacts to salmonids. In-water construction is normally not permitted in the Harbor during the period from January 14 through July 15 of any year unless otherwise allowed by applicable regulatory agencies. The in-water work window for the Harbor typically occurs from July 16 through January 14. Additional in-water work restrictions may apply. Refinements to the implementation of in-water work windows aimed at safeguarding forage fish and juvenile salmonids, while also accommodating fishing and other harvesting activities, as well as potential tribal events, will be further developed during remedial design and permitting. The overall schedule for the Project will be adjusted to accommodate any reductions in work windows required by the regulatory agencies and tribes.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

There are no plans for future additions, expansions, or further activity related to or connected with this proposal.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- *Western Port Angeles Harbor Sediment Cleanup Unit Remedial Investigation/Feasibility Study* (WPAHG 2020)

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal?

No applications are pending for governmental approvals of other proposals directly affecting the Project. Cleanup of the former Rayonier Mill study area located east of the WPAH SCU (Figure 2) is being addressed under a separate process with Ecology.

10. List any government approvals or permits that will be needed for your proposal, if known.
State

- Clean Water Act (CWA) Section 401 Water Quality Certification (WAC 173.201A and 173.225)

- National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit (Individual or General)
- Aquatic Use Authorization or Easement – Washington State Department of Natural Resources (DNR)

Federal

- U.S. Army Corps of Engineers (USACE) Section 10 Permit (33 United States Code [USC] 403), Section 408 review (33 USC 408), and USACE Section 404 Review (33 USC 1344), under Nationwide Permit 38: Cleanup of Hazardous and Toxic Waste
- U.S. Coast Guard Private Aids to Navigation (14 USC 81)
- Endangered Species Act (ESA) Section 7 Consultation (16 USC 1531–1543)
- Magnuson-Stevens Fishery Conservation and Management Act Evaluation (16 USC 1801–1884)
- Marine Mammal Protection Act (MMPA) compliance (16 USC 1361–1407)
- National Historic Preservation Act Section 106 Compliance (16 USC 470f)

Since the Project will be conducted under a Consent Decree (CD) with Ecology, the following approvals are exempt from procedural requirements of certain Washington state laws and regulations and all local permits:

Local

- Archaeological pre-determination or resource survey (City of Port Angeles [City])
- Critical areas compliance (City)

State

- Hydraulic Project Approval (HPA) (RCW Chapter 77.55 and WAC 220.110)
- Coastal Zone Management Act Consistency Determination (Ecology)

The Project must adhere to the substantive requirements outlined in these laws and regulations. Ecology will provide an opportunity for public comment, as well as input from the state agencies and local governments responsible for enforcing these laws.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

The DCAP summarizes the proposed cleanup action for the WPAH SCU and provides an explanatory document for public review.

The Project is being conducted to satisfy Ecology's cleanup requirements for the WPAH SCU. The required action includes approximately 7 acres of intertidal excavation and subtidal dredging, 42 acres of engineered capping, 180 acres of enhanced monitored natural recovery (EMNR), and 950 acres of monitored natural recovery (MNR) over three sediment management areas (SMAs; Figures 3 to 5). Subject to final design and permitting requirements, the preferred

cleanup action will include excavation of approximately 0.8 acres of 1970's era shoreline fill in SMA 2 (the "causeway") as the priority means of ensuring that aquatic habitat impacts are adequately mitigated, or if possible, avoided. Additional SMA 2 shoreline removal will be performed as needed to achieve the goal of avoiding, minimizing and mitigating for impacts to aquatic habitat.

In total, approximately 25,000 cubic yards (CY) of intertidal sediment and nearshore soils will be excavated, and approximately 280,000 CY of clean sand and gravel will be placed, requiring approximately six seasons of construction. Sediment cleanup levels (SCLs) are anticipated to be met across the SCU approximately 10 years following completion of construction. Prior to conducting the cleanup actions, a pre-design investigation (PDI) will be completed to address data gaps necessary for the final design of the remedy. The results of the PDI will be used to refine the estimated quantities described in the following paragraphs.

The Project cleanup actions in each SMA include (Figures 3 to 5):

- SMA 1: partial intertidal excavation/engineered capping and subtidal capping
- SMA 2: intertidal engineered capping, partial excavation of intertidal sediment with fill or engineered cap, partial excavation or dredge of intertidal and subtidal sediments with EMNR, subtidal EMNR, and partial excavation for habitat mitigation
- SMA 3: EMNR to an extent that surface-weighted average concentration (SWAC)-based SCLs will be achieved within 10 years following completion of construction

The Project action in SMA 1 includes placement of an engineered cap over approximately 33 subtidal acres. Subject to geotechnical and structural analyses of structures and final design, caps will be offset from existing structures as necessary to protect their integrity. The Project action in SMA 1 also includes partial (approximately 2 feet) excavation in up to 1.3 acres of contaminated intertidal sediments (Figure 3). The intertidal excavations will be backfilled to return these areas to current grade, obviating the need for aquatic habitat mitigation. Caps will be engineered for long-term stability and chemical isolation, including appropriate armoring to resist wave action, tidal currents, and propeller wash forces. Cap designs will be refined during remedial design to ensure that the remedy is protective under current and prospective future uses of SMA 1.

The Project action in SMA 2 includes partial excavation and backfill/cap in up to 2.0 acres of contaminated intertidal sediments, partial excavation/dredging and backfill or EMNR placement in up to 4.3 acres of intertidal and subtidal contaminated sediments, placement of a 2-foot-thick cap over up to an additional 6.4 acres of intertidal sediments, along with placement of an average 6-inch-thick EMNR layer over approximately 11 subtidal acres of SMA 2 (Figure 4). Caps will be engineered for long-term stability and chemical isolation, including appropriate armoring

to resist wave action and tidal currents, while providing site appropriate surface sediments for the establishment of intertidal and subtidal (eelgrass) vegetation. Capping of intertidal habitats will be minimized, to the extent practicable. Placement of engineered caps in up to 8.4 acres of intertidal sediments (delineated during remedial design) will result in loss of aquatic habitat. Subject to final design and permitting requirements, aquatic habitat will be mitigated on-site and in-kind by excavating existing upland fill soils along the SMA 2 shoreline (the causeway), resulting in no net loss of aquatic habitat. The specific location and layout of the shoreline upland excavation area required for aquatic habitat mitigation will be determined during remedial design and permitting. Causeway removal will be prioritized before other SMA 2 shoreline removal. Additional SMA 2 shoreline removal will be performed as needed to achieve the goal of avoiding impacts to aquatic habitat.

The information gathered during pre-remedial design sampling will ensure the remedial design protects human health and the environment and optimizes the following SMA 2 remedial design goals:

- Minimize the footprint of disturbance to ecologically sensitive areas including salt marshes and eelgrass meadows.
- Maintain approximate habitat characteristics, including net elevations and inundation regimes, currently found in the lagoon.
- Achieve contaminated sediment removal by excavating or dredging sediment with the highest chemical concentrations consistent with the estimated sediment removal volumes of the conceptual design.
- Preserve future habitat restoration opportunities.

The cleanup action will qualify for a US Army Corps (Corps) Nationwide Permit (NWP) 38 for Cleanup of Hazardous and Toxic Waste to satisfy all Federal permit requirements and approvals. As part of its NWP 38 determinations, the Corps will consult with the LEKT regarding treaty rights and will consult with federal services and LEKT to ensure that impacts to Endangered Species Act listed species and critical habitat are minimized. The NWP 38 will be issued with both standard and project-specific conditions that will inform the final design, including SMA 2. These conditions may include requirements for modifications to the remedy design to ensure no net loss of aquatic habitat area or function.

The Project action in SMA 3 includes EMNR material placement over approximately 164 acres of SMA 3 to achieve SWAC-based SCLs approximately 10 years following completion of construction, as well as achieving point-by-point compliance with benthic SCLs immediately following completion of construction (Figure 5). Subject to final design, EMNR placement will be offset from existing structures as necessary to protect their integrity. Monitoring will be

performed throughout the SMA (in both EMNR and MNR areas) during this 10-year period to verify compliance.

Because contamination will remain within the SCU exceeding SCLs beneath containment caps and in EMNR areas during the restoration timeframe, the cleanup action will include institutional controls. These institutional controls protect humans, ecological and aquatic receptors from contacting contaminated media while contamination remains in place that exceeds SCLs.

Institutional controls will be detailed during remedial design following collection of additional data to confirm the location and extent of contamination requiring controls. Institutional controls are expected to accomplish the following:

- Limit or prohibit activities that could interfere with the integrity of the cleanup action or result in exposure to hazardous substances.

- Provide requirements for future in-water construction in EMNR and capped areas to ensure work is conducted safely with limited exposure, and ensure disturbed caps are appropriately restored.

- Avoid restricting LEKT access for ceremonial uses or treaty shellfish harvest.

12. Location of the proposal.

The Project is located near Port Angeles, Washington within parts of Township 31 N & Range 6 West and Township 30 North & Range 6 West (Figure 1). The WPAH SCU is a discrete subdivision of the larger sediment site designated by Ecology, and in this case, it is where contaminant concentrations in surface sediment exceed SCLs (Figure 2). The WPAH SCU includes areas to the south of Ediz Hook and west of the former Rayonier Mill study area.

B. Environmental Elements

1. Earth

a. General description of the site:

The upland area abutting the Project area, including shoreline staging areas and transloading facilities, is relatively flat and slope down toward the water. Although much of the shoreline is armored, some shoreline in this area is relatively steep and without armoring, potentially requiring stabilization prior to initiating cleanup construction.

(circle one) Flat, rolling, hilly, steep slopes, mountainous, other:

b. What is the steepest slope on the site (approximate percent slope)?

Relatively steep (roughly 20% to 40%) transition slopes between the uplands and the WPAH SCU are largely protected from erosion by large rock and concrete riprap.

c. What general types of soils are found on the site?

Most of the uplands are paved with asphalt or concrete, or compacted gravel. Upland areas abutting the Harbor were developed through historical fill activities adjacent to the Harbor. Along the shoreline, recent alluvium and marine deposits overlie the glacial drift. Hydraulic fill material consisting of loose to very dense sand dredged from the Harbor and uplands fill consisting of coarse sand and gravel was placed in the shoreline area from roughly 1890 to 1980, disconnecting the bluffs from the nearshore area of the Harbor.

d. Are there surface indications or history of unstable soils or sediments in the immediate vicinity?

The Project area is within the Harbor. Generally, aquatic sediments in most areas of the WPAH SCU are stable and are not subject to resuspension under normal hydrodynamic conditions. The shallow nearshore zone and localized dock and channel areas of the Harbor are subject to periodic scour and resuspension from wave action, dock activities, and propellor wash. There are no other indications or known history of unstable soils in the immediate vicinity of the Project.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The Project will protect human health and the environment by meeting SCLs within a reasonable restoration timeframe. All contaminated sediments removed from SMA 1 and 2 will be transported and disposed of at a regional Subtitle D landfill, or, subject to further remedial design characterization and as approved by Ecology, suitable excavated sediment and nearshore soils that meet upland cleanup levels may be beneficially reused locally or regionally, as appropriate. Clean fill for caps and EMNR layers will likely be obtained from virgin local quarries in the Harbor watershed. Project excavation and fill quantities are summarized below by SMA.

<u>SMA 1</u>

- **Type:** Partial intertidal excavation and placement of engineered caps.
- **Total Area:** 33 acres.
- **Approximate Quantity:** Partial excavation of up to 1.3 acres of contaminated intertidal sediment; these excavations would be backfilled and returned to current grade, resulting

in excavation of up to approximately 4,300 CY of in-place contaminated intertidal sediments and placement of approximately 105,000 CY of clean cap materials.

SMA 2

- **Type:** Partial intertidal excavation and subtidal dredging and placement of engineered cap and EMNR layers.
- **Total Area:** 24 acres.
- **Approximate Quantity:** Excavation of up to approximately 7,100 CY of shoreline soils (for habitat mitigation), removal of approximately 13,600 CY of intertidal and subtidal sediments, and placement of approximately 42,000 CY of clean cap and EMNR materials.

SMA 3

- **Type:** Placement of EMNR layers and other potential actions necessary to address non-contiguous areas with confirmed benthic toxicity. Benthic toxicity areas will be confirmed during remedial design.
- **Total Area:** 164 acres.
- **Approximate Quantity:** Placement of approximately 132,000 CY of clean EMNR materials.

f. Could erosion occur as a result of clearing, construction, or use?

Erosion could occur from the Project during preparation and staging/transloading operations adjacent to the southern portion of SMA 1 (Terminal 6). Best Management Practices (BMPs) in this area will be implemented consistent with a temporary erosion and sediment control (TESC) Plan to be developed and approved by Ecology, and also address other agency requirements. These measures will limit potential erosion associated with the Project.

g. About what percent of the site will be covered with impervious surfaces after project construction?

No new impervious surfaces are proposed as part of the Project; existing impervious surfaces will remain.

h. Proposed measures to reduce or control erosion, or other impacts to the earth.

A TESC Plan will be developed to minimize and manage erosion during construction of the Project. The TESC Plan will be submitted for Ecology approval. The TESC Plan will specify BMPs that will be employed during construction to manage potential soil erosion consistent with a Stormwater Pollution Prevention Plan (SWPPP) prepared for the NPDES Construction

Stormwater General Permit and WAC 173-226, as well as to comply with the erosion prevention and sediment control plan requirements of the City. These BMPs may include, but are not limited to, silt fencing, stabilization of exposed soils, construction entrances and track out controls, protection of existing stormwater inlets and periodic watering during dry weather (to reduce wind erosion).

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed?

Fugitive dust could be generated during dry periods during construction. However, much of the work is proposed in water; therefore, dust generated from construction will only result from potential upland activities associated with upland material stockpile management. Construction machinery such as vessels/tugs, cranes, loaders, and trucks will likely emit exhaust gases. These emissions will be temporary in nature and generally of short duration; therefore, no long-term adverse effects on local air quality are anticipated.

b. Are there any off-site sources of emissions or odor that may affect your proposal?

There are no known off-site sources of air emissions that would affect the Project.

c. Proposed measures to reduce or control emissions or other impacts to air, if any.

Construction equipment used on the Project will be maintained in good working order to minimize airborne emissions. BMPs (e.g., application of water as necessary) for dust control will be employed during construction.

3. Water

a. Surface Water

1) Is there any surface water body on or in the immediate vicinity of the site?

The Project is located within the western portion of the Harbor, a naturally large, deep (up to 170 feet) and relatively flat-bottomed bay. This includes the small, tidally influenced natural lagoon located adjacent to the south of the McKinley Paper mill, which retains significant elements of its unique aboriginal habitat. The WPAH SCU is partially enclosed by Ediz Hook, a 3-mile-long sand spit that extends eastward from the Harbor's west end. Streams originating in the Olympic Mountains flow north into the Harbor.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters?

The Project will occur within the Harbor and on a portion of the adjacent shoreline (Figure 2). Transloading operations adjacent to the southern portion of SMA 1 (Terminal 6) will be performed within the 200-foot shoreline area.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

In total, the Project will excavate approximately 25,000 CY of intertidal sediment and nearshore soils, and place approximately 282,000 CY of clean sand and gravel as follows:

- 7 acres of intertidal excavation and subtidal dredging
- 0.8 acres of shoreline excavation to ensure no net loss of aquatic habitat
- 42 acres of engineered cap placement
- 180 acres of EMNR placement

Clean fill for caps and EMNR layers will likely be obtained from virgin local quarries in the Harbor watershed. Fill materials are expected to be transferred from trucks to barges at the Port's Terminal 6 property, which would be developed as a transload facility for cleanup implementation.

4) Will the proposal require surface water withdrawals or diversions?

No surface water withdrawals or diversions are proposed.

5) Does the proposal lie within a 100-year floodplain?

The Project area is located within the 100-year floodplain (FEMA 1990; FIRM 530023 003 C and 530023 002 C). The Project is in the marine environment of the Harbor.

6) Does the proposal involve any discharges of waste materials to surface waters?

During construction, incidental quantities of waste materials (including diesel fuel and lubricating oils) from accidental leakage from heavy equipment and vehicles could enter surface waters. BMPs will be in place in the event of a spill or release, and to minimize contaminated sediment from releasing to surface water during transfer. Removing intertidal and shallow subtidal sediment "in the dry" during low tide stages as much as practicable will minimize but not fully eliminate the potential for release of contaminated sediment to the water column during intertidal excavation, potentially resulting in localized, short-term increases in turbidity and surface water chemical concentrations during construction. . A Water Quality Monitoring and Protection Plan (WQMPP) will be

developed to specify BMPs to minimize turbidity impacts and water quality monitoring required during construction activities. No waste materials would be discharged to ground or surface water from the completed Project.

b. Ground Water

1) Will groundwater be withdrawn from a well for drinking water or other purposes? Will water be discharged to groundwater?

No groundwater will be withdrawn or discharged to groundwater as part of the Project.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any.

No waste material is anticipated to be discharged into the ground as part of the Project.

c. Water Runoff (Including Stormwater)

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any. Where will this water flow? Will this water flow into other waters?

Stormwater runoff is anticipated during construction. Stormwater runoff is currently discharged into the Harbor. There will be no proposed change in discharge rate for the Project. Surface water runoff will be managed using BMPs as appropriate, and consistent with Ecology's 2019 *Stormwater Management Manual for Western Washington*. Collection and disposal of stormwater runoff is not proposed. Compliance with the conditions outlined in the of the issued NPDES construction stormwater general permit will be maintained during construction. BMPs will minimize runoff from contaminated sediment and nearshore soil stockpiles as well as clean sand and gravel stockpiles.

2) Could waste materials enter ground or surface waters?

During construction, incidental quantities of waste materials (including diesel fuel and lubricating oils) from accidental leakage from heavy equipment and vehicles could enter surface waters. The contractor would be required to implement BMPs, environmental plans, and monitoring to minimize the potential for waste materials to enter surface water. The contractor would provide and implement conservation measures, including SPCC and TESC Plans. No waste materials will be discharged to ground or surface water from the completed Project.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site?

The Project will not affect drainage patterns or water circulation in the vicinity of the Project.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

In-water cleanup actions will be performed in accordance with Ecology approvals and permit conditions. Compliance with surface water quality (e.g., turbidity) criteria will be verified through a combination of intensive monitoring (e.g., once per construction shift) and routine monitoring (e.g., once weekly), as specified by permit conditions.

Imported fill material necessary to complete the Project will be clean and obtained from an Ecology-approved source. Contractors will be responsible for the preparation of a Spill Prevention, Control, and Countermeasures (SPCC) Plan to be used for the duration of the Project to safeguard against unintentional releases of fuel, lubricants, or hydraulic fluid from construction equipment.

Shoreline excavation and filling will occur "in the dry" during low tidal cycles to the extent practicable to minimize in-water work.

4. Plants

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs – sparse native and non-native shrubs
- ☒ grass – sparse non-native grasses
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☒ water plants: water lily, eelgrass, milfoil, other (see below for "other" vegetation types)
- ☒ other types of vegetation (see below for "other" vegetation types)

Terrestrial habitat in the upland staging and transloading area (Terminal 6) is limited because it is located along a working industrial area. Invasive species at the site include Scotch broom (*Cytisus scoparius*) and Himalayan blackberry (*Rubus armeniacus*).

Marine vegetation in the WPAH SCU include microalgae, primarily sea lettuce (*Ulva spp.*) and bull kelp (*Nereocystis luetkeana*). Seagrass is present in the Harbor, a majority being eelgrass (*Zostera marina*). Two eelgrass beds have been identified in the WPAH SCU: one in shallow

subtidal areas of SMA 2; and one extending east of the City Pier in SMA 3. Salt marsh habitat is present in upper intertidal areas, particularly in SMA 2.

b. What kind and amount of vegetation will be removed or altered?

No native trees or shrubs will be removed or altered as part of this proposal. Impacts to marine vegetation will be minimized to the extent practicable; however, some temporary impacts to marine vegetation may occur because of the Project. The post-Project conditions in excavation and material placement areas are anticipated to provide suitable substrates for natural marine vegetation colonization. The salt marsh in the far western corner of the lagoon will be protected by offsetting removal and capping actions to minimize impacts to these habitats as much as practicable. Subject to final design and permitting requirements, salt marsh vegetation and associated habitats will be mitigated on-site and in-kind.

The eelgrass bed located in shallow subtidal areas of SMA 2 is anticipated to be protected by carefully and slowly placing EMNR materials over two seasons in the eelgrass bed area to minimize potential impacts. Informed by detailed pre-remedial design sampling and analysis, a SMA 2 pre-design evaluation memo will consider design options and identify the optimal design based on the SMA 2 remedial design goals. The eelgrass bed extending east of the City Pier is within a MNR area and is not proposed for removal or alteration (Figure 5).

c. List threatened and endangered species known to be on or near the site.

Federal- or state- listed threatened and endangered plant species are not known to be on or near the Project

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

e. Native vegetation currently present on or near the cleanup areas will be safeguarded before and throughout the construction period, as necessary. Measures will be taken to ensure the protection of eelgrass beds. **List all noxious weeds and invasive species known to be on or near the site.**

Potential noxious weeds and invasive species that may be found on the Project area include Scotch broom and Himalayan blackberry. Other invasive plant species near the Project area include, Reed canary grass, and English ivy. There are no plans for altering upland vegetation.

5. *Animals*

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

More than 60 species of marine fish have been observed in the Harbor (Shea et al. 1981). Salmon, bottomfish, and forage fish in the area are important for sport, commercial, and tribal harvests.

The important bottomfish species for commercial, tribal, or sport fishing within the Harbor include lingcod, Pacific halibut, spiny dogfish, Pacific cod, rockfish, English sole, Dover sole, rock sole, starry flounder, sanddab, and perch (Shea et al. 1981). According to the Washington State Fish and Wildlife (WDFW) *Forage Fish Spawning Map* (Forage Fish Spawning Map - Washington State (arcgis.com)), no documented herring spawning areas occur in the Harbor. Smelt spawning occurs in approximately the inner half of Ediz Hook, one small sand lance spawning area is located in the inner harbor adjacent to McKinley Paper Company, and one small sand lance spawning area is present in the vicinity of Harborview Park, located on the end of Ediz Hook (WDFW 2024a).

A variety of shellfish are present in the Harbor. Shellfish harvest along a majority of the Harbor shoreline are often closed due to pollution such as bacterial contamination and stormwater runoff, algal blooms, and biotoxin contamination.

The Ediz Hook Reservation for Native Birds within the Harbor and the Dungeness Wildlife Refuge in the Dungeness County Park, located approximately 30 miles from the Harbor, provide important habitat for wintering and migrating birds. The sheltered waters along Ediz Hook support wintering populations of Great blue herons, Barrow's goldeneye, Western grebe, Common goldeneyes, and Harlequin ducks (Audubon 2024). Species observed year-round include Cormorants, Alcids, Sea gulls, and Sea ducks. The Harbor also supports populations of Heermann's gulls, Thayer's gulls, Common loon, and Common murre (Audubon 2024). Shorebirds observed in the Dungeness National Wildlife Refuge (DNWF) that are likely to be present along Ediz Hook include the American wigeon, Black oystercatcher, Harlequin duck, Sanderling, Dunlin, Least sandpiper, Pigeon Guillemot, Bald eagle, and Snowy owl. Marine mammals observed in the DNWF include Habor seal, Southern Resident Killer whale (SRKW), Bigg's killer whales (transients), and Northern elephant seal. Other terrestrial mammals observed include Douglas's squirrel and Black-Tailed deer.(USFWS 2024a) The Audubon-designated Port Angeles "Important Bird Area" for the threatened and endangered marbled murrelets is present within the Harbor (Audubon 2024). The nearest known occupied nesting stands are located approximately 6 miles south of the Harbor in the Olympic National Forest (Malcom Pirnie 2007. Brown pelicans have been observed in the Strait of Juan de Fuca and Puget Sound (WDFW 2022).

A total of 20 species of marine mammals are found in Puget Sound and the Strait of Juan de Fuca (NOAA 1979). These include the California Sea lion, Northern (Steller) Sea lion, Pacific harbor seal, Northern elephant seal, and the Northern fur seal (NOAA 1979). Cetaceans include the Gray whale, Minke whale, Fin whale, Humpback whale, Risso's dolphin or Whitehead grampus, Pacific white-sided dolphin, Short-beaked or Saddleback dolphin, False killer whale, Shortfin pilot whale, Pygmy sperm whale, Cuvier's beaked whale or the Goose-beaked whale, Baird's beaked whale or North Pacific giant bottlenose whale, Orca, Dall's porpoise, and harbor porpoise (NOAA 1979). Short-beaked dolphins, which generally occupy warmer water, were sighted near Port Angeles for the first time in the summer of 2016 (Lee 2016). According to a local whale watching group, species commonly seen near Port Angeles include SRKWs and Bigg's, Minke whales, Humpback whales, Gray whales, Steller sea lions, Elephant seals, Harbor seals, Dall's porpoises, and Harbor porpoises (Puget Sound Express 2024). River otters are commonly observed in the Harbor (WDFW 2024b).

b. List any threatened and endangered species known to be on or near the site.

Information regarding federal- and state-listed sensitive and candidate species under the ESA was obtained from the WDFW and U.S. Fish & Wildlife Service (USFWS) websites (WDFW 2024c; USFWS 2024b), which include those species listed by the state, as well as species listed or proposed for listing by the USFWS or the National Marine Fisheries Service. The following list provides known species in the Harbor that are state- or federally listed or proposed for listing or of concern (WDFW 2024c):

Species	Listing
Birds	
Brown pelican	SE
Short-tailed albatross	FE
Streaked horned lark	FT
Yellow-billed cuckoo	SE, FT
Marbled murrelet	SE, FT
Common loon	SS
Common murre	SS
Brandt's cormorant	SS
Western grebe	SC
Bald eagle	FCo
Peregrine falcon	FCo
Marine Mammals	
Fin whale	SE, FE
Humpback whale	SE, FE

Orca (SRKW and Bigg's)	SE, FE
Gray whale	SS
Harbor porpoise	SC
Steller sea lion	FCo
Fish	
Puget Sound chinook salmon	SC, FT
Hood Canal summer-run chum salmon	SC, FT
Puget Sound steelhead trout	FT
Bull trout/Dolly varden	SC, FT
Invertebrates	
Sunflower sea star	PT

Abbreviations:
FCo Federal species of concern
FE Federal endangered
FT Federal threatened
SC State candidate
SE State endangered
SS State sensitive
PT Proposed threatened

The eastern distinct population segment of Steller sea lion was delisted from the ESA on November 4, 2013. Prior to delisting, it was a federally threatened species under the ESA. Steller sea lions are still listed as threatened by the State of Washington. They (and all marine mammals) are also protected under the federal MMPA. The MMPA prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters without a permit authorizing such take. Other unlisted marine mammals that fall under the protection of the MMPA that could occur within the vicinity of project area include the Bigg's (transient) killer whale, California sea lion, and Harbor seal.

c. Is the site part of a migration route?

The WPAH SCU is within the "Pacific Flyway" for migratory birds. Migratory waterfowl can be found in the Harbor and along the shorelines of Port Angeles throughout the year. Juvenile and adult salmonid species have been documented to migrate through the Harbor (WDFW 2024a). While the Harbor is designated as critical habitat for state- and federally-endangered SRKWs and Bigg's, it is rare for this population to utilize the shallow shoreline area within the Project area. The SRKWs and Bigg's are more likely to be observed offshore in the Strait of Juan de Fuca. A young SRKW was observed in the lagoon channel overnight in May 2022.

d. Proposed measures to preserve or enhance wildlife, if any.

The Project will result in a net decrease in bioaccumulative contaminant exposure to wildlife. Adherence with the substantive provisions of federal, state, and local regulations will also be protective of wildlife in the Project vicinity, including the following:

- Shoreline Management Act/City Shoreline Master Program
- Washington State Hydraulic Code
- ESA
- Magnuson-Stevens Fishery Conservation and Management Act
- MMPA
- Migratory Bird Treaty Act
- Clean Water Act Section 404

In-water work windows and Project BMPs, including monitoring during in-water construction, will be implemented to protect forage fish and juvenile salmonids. The in-water work window typically occurs between July 16 and January 14. Specific timing will be coordinated with WDFW and the Lower Elwha Klallam Tribe (LEKT). The applicant and Ecology will work with the LEKT to determine if further reductions to in-water work windows would be required to accommodate fishing and other harvesting activities (e.g., shellfish), as well as tribal events.

A monitoring plan will be developed for the Project consisting of 1) monitoring during in-water construction; 2) monitoring immediately following in-water construction; and 3) long-term monitoring of chemical and biological conditions. The monitoring period outlined in the CD will be adhered to, and maintenance plan(s) will be developed if monitoring indicates that maintenance is required.

e. List any invasive animal species known to be on or near the site.

Invasive fish, molluscs, and European green crab are known to be present in the Harbor (WDFW 2024d). No invasive terrestrial animal species are known to be on and/or near the Project area.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs?

The Project will require fossil fuels (diesel, gas) and electricity to operate heavy machinery and vessels, and to light the site for safety. Once completed, the Project will not create any long-term energy needs.

b. Would your project affect the potential use of solar energy by adjacent properties?

The completed Project will not affect the potential use of solar energy.

c. What kinds of energy conservation features are included in the plans of this proposal?

Construction practices that encourage energy efficient use, such as limiting idling equipment, encouraging carpooling of construction workers, and locating staging areas near work areas, will be implemented.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?

All contaminated excavated materials will be appropriately disposed of at a Subtitle D landfill, or, subject to further remedial design characterization and as approved by Ecology, suitable excavated sediment and nearshore soils that meet upland cleanup levels may be beneficially reused locally or regionally, as appropriate. Before disposal or reuse, these materials may be temporarily stockpiled. BMPs will minimize runoff from contaminated sediment and nearshore soil stockpiles. Potential environmental health hazards stemming from a spill of fuel or oil from operating equipment or equipment accidents will be addressed immediately. These hazards will be mitigated through adherence to Project construction plans, including the SPCC plan, as well as Health and Safety Plans.

1) Describe any known or possible contamination at the site from present or past uses.

Several comprehensive environmental investigations of the Harbor have been conducted to date to assess past and current environmental conditions in the WPAH SCU. Port Angeles harbor has been identified as a priority environmental cleanup site by Ecology as part of the Puget Sound Initiative.

There are five long-standing health advisories related to seafood consumption currently in effect that apply to the Harbor, including a Puget Sound-wide advisory for mercury and polychlorinated biphenyls, and the harbor-wide closure of shellfish harvesting due to the presence of bacterial pollution and the periodic presence of paralytic and diarrhetic shellfish biotoxins. Hazardous substances present in the WPAH SCU have the potential to pose risks to both human health and the environment. Risks to human health may occur from consumption of crab, shrimp, clams, and other species. Additionally, risks may be posed to aquatic life such as benthic invertebrates living within Harbor sediments. The Lower Elwha Klallam Tribe

continues to have a moratorium on commercial fishing within the harbor for all species of fish and shellfish.

2) **Describe existing hazardous chemicals/conditions that might affect project development and design.**

There are no existing hazardous chemicals or conditions that might affect the Project development or design. The Project's cleanup actions will result in a significant reduction in contaminant toxicity to both human and ecological receptors. This will be achieved through a combination of excavation, capping, and EMNR that interrupt the pathways for exposure to the remaining contamination within the SCU while also minimizing the mobility of contaminants left in place.

3) **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

The Project will not store, use, or produce toxic or hazardous chemicals.

4) **Describe special emergency services that might be required.**

There are no special emergency services required for the Project.

5) **Proposed measures to reduce or control environmental health hazards, if any.**

Hazards will be limited to those encountered during construction. Workers will be properly trained for work at the Project; proper construction methods, personal protective equipment, and safety equipment will be employed.

Environmental health hazards that could result from a spill of fuel or oil from operating equipment will be addressed within the SPCC Plan and TESC Plan prepared as part of the Project.

The management of short-term risks for the selected cleanup actions will occur through plans and methods to limit turbidity and resuspension-related releases during in-water construction and truck traffic and travel on public roads associated with off-site disposal of removed material or import of engineered cap and/or EMNR material. For example, intertidal and shallow subtidal sediments will be removed "in the dry" during low tide stages as much as practicable to minimize the potential for release of contaminated sediment to the water column. BMPs will minimize runoff from contaminated sediment and nearshore soil stockpiles. Careful planning, contingency plans, and health and safety

requirements for on-site workers will minimize but not fully eliminate the potential for release of contaminated sediment to the water column during intertidal excavation. Transport of materials to and from the site requires interactions with the public while traveling on public roadways. Plans will be developed to implement BMPs and all contractors participating in site cleanup will be required to comply with project work plans. The plans to be developed are expected to include: a WQMPP; Grading Plan; SPCC Plan; TESC Plan, SWPPP, and potentially others. These plans will be approved by the agencies with jurisdiction and implemented by the contractor during construction.

b. Noise

1) What types of noise exist in the area which may affect your project?

No noise sources exist in the area that are anticipated to affect the Project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis? Indicate what hours noise would come from the site.

Noise generated by the proposed project would be limited to construction. Construction will be completed consistent with applicable state and local regulations.

3) Proposed measures to reduce or control noise impacts, if any.

Construction activities will be performed in accordance with Port Angeles Municipal Code Title 15 and are anticipated to occur during normal working hours. All equipment will be required to comply with pertinent U.S. Environmental Protection Agency equipment noise standards. During planning of the transload facility at Terminal 6. adjacent to the Tse-whit-zen village and cemetery cultural site, the LEKT will be consulted.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties?

Currently, the shoreline areas in the WPAH SCU are primarily owned by the City, Port of Port Angeles (Port), McKinley, LEKT, and U.S. government. The Port owns three sites on the Harbor shoreline that are undergoing investigation or cleanup (K Ply, Marine Trades, and Terminals 5, 6 & 7), one of which has been largely remediated (the K Ply Site).

Current in-water activities are conducted under active DNR leases, including aquatic land currently leased to the Port managed under a Port Management Agreement. The Port

currently conducts log handling and rafting and other maritime activities along the shoreline and in-water, and now owns Terminals 5, 6, and 7 (former Nippon Paper Industries USA Co., Ltd., Fibreboard Paper Products Corporation, and Merrill & Ring operational areas). A remedial investigation is in progress at Terminals 5, 6, and 7. Impacts to nearby or adjacent property owners and measures to address impacts will be considered during the design process as appropriate, and include consultation with the Lower Elwha Kallam Tribe.

b. Has the project site been used as working farmlands or working forest lands?

The industrial comprehensive plan and zoning designation of the site and adjacent lands have been in place for over 50 years, and there is no recent history of agricultural use on the site.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting?

The Project will not affect any working farm or forest operations.

c. Describe any structures on the site.

There are multiple structures on the Harbor shoreline operating industrial or recreational activities. Overwater structures including docks and piers are also present.

d. Will any structures be demolished? If so, what?

No structures will be demolished as part of the Project.

e. What is the current zoning classification of the site?

Industrial Heavy (IH).

f. What is the current comprehensive plan designation of the site?

Industrial.

g. If applicable, what is the current shoreline master program designation of the site?

The City Shoreline Master Program (SMP) was last updated during the periodic review in 2021 (City of Port Angeles 2021). The Harbor from the Strait of Juan de Fuca east to Boat Haven is designated High Intensity-Maritime (HI-M), Urban Conservancy-Recreation (UC-R), and High Intensity-Industrial (HI-I). Ediz Hook shorelines east of communication towers and Boat Haven Marina east to the center line of Valley Street is designated Shoreline Segment

JHI-M. The Environmental Designation Maps and Boundary Descriptions are in Appendix A of the City SMP (SMP-Appendix-A----Detailed-Segment-Maps (cityofpa.us)).

h. Has any part of the site been classified as a critical area by the city or county?

Per Title 15 Environment, Chapter 15.20.01 Environmentally Sensitive Areas Protection of the Port Angeles Municipal Code (PAMC). The Harbor is a fish and wildlife habitat conservation area and habitat of local importance for migrating fish and wildlife. Historical use in the area has degraded the available marine habitat. Generally, cleanup actions will improve habitat functions compared to existing conditions.

i. Approximately how many people would reside or work in the completed project?

The Project will not change the existing levels of employment after completion.

j. Approximately how many people would the completed project displace?

The Project will not displace any people.

k. Proposed measures to avoid or reduce displacement impacts, if any.

No measures are proposed to avoid or reduce displacement impacts.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

The Project will comply with the substantive requirements of the Port Angeles MC and the City SMP, which includes standards to ensure appropriate use and protection of properties near the shorelines of the state.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance.

The Project will not affect agricultural and forest lands of long-term commercial significance; therefore, no measures are proposed.

9. Housing

a. Approximately how many units would be provided, if any?

No housing units will be provided by the Project.

b. Approximately how many units, if any, would be eliminated?

The Project will not eliminate any housing units.

c. Proposed measures to reduce or control housing impacts, if any.

The Project will not displace any housing units, and no measures are required.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No new structures are proposed.

b. What views in the immediate vicinity would be altered or obstructed?

The Project will not permanently impact any viewsheds of significance and will be consistent with the general industrial aesthetic of the site vicinity.

c. Proposed measures to reduce or control aesthetic impacts, if any.

No aesthetic impacts are anticipated from the Project; therefore, no measures to reduce or control aesthetic impacts are proposed.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Construction activities are anticipated to be performed during normal working hours. Depending upon the final schedule of specific cleanup activities, temporary work lighting may be used to provide a safe work environment during low light conditions. Temporary work lighting is anticipated to be localized and short-term in duration, if needed.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Light or glare from the Project is not expected to create a safety hazard or interfere with views.

c. What existing off-site sources of light or glare may affect your proposal?

There are no known sources of off-site light or glare that may affect the proposed Project.

d. Proposed measures to reduce or control light and glare impacts, if any.

Light levels for the site would be designed to meet Occupational Safety and Health Administration (OSHA) requirements. Lighting will be shielded and directed toward work areas, and no off-site glare impacts are expected to result from its use. Lighting for the Project will be designed to ensure compliance with local regulations, which prohibit off-site glare impacts from direct or reflected light sources.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

In the Project vicinity, the Harbor is used for recreational boating; recreational, commercial, and tribal fishing; shellfish harvesting; and other water-related activities. Adjacent to the WPAH SCU, the Ediz Hook Reservation for Native Birds and Valley Creek Estuary Park are available for recreation.

b. Would the proposed project displace any existing recreational uses?

The Project will not displace any existing recreational uses. Parts of the SCU will be closed during construction. Closures will be coordinated with WDFW, Ecology, and the LEKT to account for harvest activities and tribal events.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

The applicant and Ecology will work with the LEKT to determine if further reductions to in-water work windows would be required to accommodate fishing and other harvesting activities (e.g., shellfish), as well as tribal events.

13. Historic and Cultural Preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers?

Based on a review Washington State Department of Archaeology and Historic Preservation's (DAHP's) Washington Information System for Architectural and Archaeological Records Data (WISAARD)database, two properties located along the shoreline area of the Harbor are listed on the National Register of Historic Places (NRHP) and the Washington Heritage Register (WHR): the Tse-whit-zen village and cemetery cultural site and the Ediz Hook Light Station/U.S. Coast Guard (USCG) Air Station (DAHP 2024). Other properties along the Harbor shoreline

listed on the WHR include Hollywood Beach encampment located just east of the City Pier and the Puget Sound Cooperative Colony, located at the mouth of Ennis Creek. The Puget Sound Cooperative Colony has since been subsumed by the former Rayonier Mill, and the lighthouse complexes at Ediz Hook have all been removed (DAHP 2024).

Historic Property Inventories documented in WISAARD have been completed for six other properties within the Harbor, including: the former Rayonier Mill jetty (outside the SCU), the Merrill & Ring timber warehouse located along Marine Drive, railroad spurs along Tumwater Creek, and the USCG Air Station hangar and barracks/administration building located on Ediz Hook. The eligibility status for listing in the WHR or NRHP has not been determined for the former Rayonier Mill jetty or the Merrill & Ring timber warehouse. In 2020, the Rayonier dock, trestle, and foundation deck were determined to not be NRHP-eligible under Section 106. The Tumwater Creek rail spurs and bridge were determined to not be NRHP-eligible. In 2018, the two USCG buildings were determined to meet the criteria for NRHP and potentially contribute to a historic district, but an eligibility determination has not yet been made (DAHP 2024).

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? Are there any material evidence, artifacts, or areas of cultural importance on or near the site?

The Harbor is located within the traditional territory of the LEKT, who have engaged in discussions with Ecology throughout the RI/FS and DCAP development process. Historically, much of the northern Olympic Peninsula and south Vancouver Island was the territory of the Klallam Tribe. The Harbor area was historically inhabited by two major Klallam villages: I'e'nis and Tse-whit-zen (Ecology 2012). LEKT and the two other federally recognized S'Klallam Tribes have adjudicated treaty fishing areas throughout the Harbor. LEKT also owns real property along Ediz Hook and has been particularly active in restoring habitat in the Harbor with the goal of restoring the Tribes' ability to engage in treaty harvest of fish and shellfish.

Archeological investigations in 2003 documented six longhouses in this village, along with a stockade similar to that observed at I'e'nis. Beginning over two thousand years ago, the LEKT utilized Tse-whit-zen in the traditional practices of sea mammal hunting, ocean fishing, and the burial of its members. At Tse-whit-zen, artifact deposits underlying historical fill have been identified and include artifact-bearing middens containing shell, stone, and bone artifacts, projectile points, lithic debitage, and human remains (Oldham 2007). "The Tse-whit-zen site was significantly disturbed during excavations in 2003-04, and numerous cultural artifacts were unearthed along with over 350 sets of human remains. The artifacts have been preserved at the Burke Museum or repatriated to the Lower Elwha Klallam Tribe, and the

human remains reinterred *in situ*. This is a site of rich cultural and archaeological significance, and any ground-disturbing activities in the area must be undertaken with great care."

A third, unnamed village was historically noted as being located at the mouth of Tumwater Creek (Tingwall and Rust 2009). This village was depicted on the 1853 Coast and Geodetic Survey map of the Harbor; however, no further evidence of this village has been found. There is a high probability that archaeological materials associated with ethnographic- to historic-period American Indian residential activities, as well as resource procurement, could be identified within the Harbor area.

Butler, et al. (2019a) presents the findings of the extensive excavation at "Číxwicən". The excavation documented human occupation spanning the last 2700 years and revealed remains of multiple plank houses. The study focused on analyzing the faunal records to understand changes and stability in human-animal relationships on the Northwest Coast. The analysis of over one million faunal specimens revealed changes in intertidal habitat, consistent resource use patterns across 2150 years of occupation, and the impact of tsunamis on animal populations.

Butler, et al. (2019b) published another article focusing on the faunal remains and geoarchaeological records to study the long-term human-environment relationships, particularly examining economically important animal species and human populations considering environmental and social changes. The article reviews previous archaeological investigations that uncovered over 12,000 artifacts, including stone tools, bone tools, shell beads, pottery fragments, and various other items. The project also involved the recovery and reburial of over 300 sets of human remains, highlighting the cultural and spiritual significance of Číxwicən as a sacred burial ground for the tribe.

During the RI/FS process for the Project, the LEKT have been a commenter on documents and have been engaged in discussions with Ecology. Additionally, the Klallam Tribe has present-day treaty rights to harvest shellfish and other aquatic species in the Harbor.

The LEKT indicates that four principles have guided its participation in Port Angeles Harbor cleanup and restoration. Those four principles are as follows:

1. Protect areas of cultural and ecological importance, including avoidance or mitigation of disturbance of cultural resources and human remains through tribally approved protocols and use of tribal monitors;
2. Select site specific remedies that protect existing ecological values or enable the recovery of those values;
3. Ensure and preserve opportunities for future restoration; and
4. Ensure opportunities for future cultural and treaty fishing access.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site.

Klallam tribal history was compiled from multiple sources including tribal and other relevant historically-related websites, and cultural resources surveys and inventories that have been completed in the Port Angeles area, as referenced herein. Specific information relative to historical property use in the Harbor was sourced from DAHP's WISAARD database. A secure, non-public database is available to credentialed professionals, and a public version can be accessed on DAHP's website. Remedial action planning relative to cultural resources will occur in Ecology-led coordination with Tribal representatives.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources.

Per the Washington Administrative Code (WAC) 173-340 Adopted Rule dated August 23, 2023, Inadvertent Discovery Plans (IDPs) are now required for all remedial actions. An IDP will be prepared per the WAC-173-340-815 3.b.ii and followed during all ground-disturbing activities during construction. Protocols to be incorporated into an IDP include those described in the following documents:

- Appendix: Elwha River Beach and Estuary Access and Management Ordinance Protocols for Management of Human Remains and Archaeological and Cultural Materials (Lower Elwha Klallam Tribe, 2019) These Protocols are the Tribe's most recent refinements of its long-standing policy on management of human remains and cultural resources, very similar to protocols applied in other contexts at Port Angeles Harbor. Under the Ordinance to which they are an appendix, they apply directly to activities within the Lower Elwha Reservation, but are to be incorporated into the IDP as best practices.
- Archaeological Work Plan: Combined Sewer Overflow Project, Phase 1 (City of Port Angeles 2011)

All protocols specified in the IDP must include provisions for utilization of Tribal cultural resource monitors.

Additionally, Ecology-led consultation with DAHP and potentially affected Indian tribes must occur prior to all remedial actions to assess any potential effects these actions may have on cultural resources. Based on consultations, a cultural resources plan, such as a survey or monitoring plan may be required. Project remedial actions must comply with applicable state and federal laws outlined in WAC 173-340-815 Cultural resource protection.

As documented in the IDP, if an inadvertent discovery is made during Project activities, work in the immediate area of the discovery will be halted immediately and the following actions will be taken: 1) implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; 2) take reasonable steps to ensure the confidentiality of the discovery site; and 3) take reasonable steps to restrict access to the site of discovery. If human remains are uncovered, appropriate law enforcement agencies shall be notified first. If remains are determined to be American Indian, consultation with the affected tribes will take place in order to mitigate the final disposition of said remains.

Should an inadvertent discovery occur, a professional archaeologist will assess the significance of the find and consult with DAHP and affected tribes will be notified so that an appropriate course of action can be implemented.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system.

Marine Drive borders the site and serves the industrial properties along the Harbor. Marine Drive also extends up Ediz Hook to the Coast Guard station. Project activities will likely be accessed off this street network.

b. Is the site or affected geographic area currently served by public transit?

Clallam Transit runs a bus line on Marine Drive with a stop near the Port Angeles Yacht Club, also servicing the Port Angeles Auto and Passenger Ferry Terminal.

c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways?

The Project will not require new or improved roadways or pedestrian, bicycle, or state transportation facilities.

d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation?

The Port Angeles Auto and Passenger Ferry Terminal is in the WPAH SCU. Placement of EMNR material will occur on the north side of the ferry terminal. The applicant and Ecology will coordinate with the Black Ball Ferry Line and terminal throughout the Project to minimize transportation disruption.

e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of

the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

The import of sand and gravel from an upland commercial or private source may generate construction-related traffic. Assuming an average load of approximately 15 cy, approximately 20,000 truck trips will occur over the six-year duration of the Project, which equates to approximately 15 to 30 truck trips per working day (typically 7 am to 5 pm). The amount of construction traffic and peak traffic times will be a function of the selected contractor's operations plan and the amount of material that needs to be managed on-site. Construction traffic impacts will be temporary. The completed Project is expected to result in no net change in traffic.

f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area?

The Project will have no impact on the movement of agricultural products. Coordination with the Port and McKinley will be performed throughout the Project to minimize impacts on the movement of forest products.

g. Proposed measures to reduce or control transportation impacts, if any.

A traffic control plan will be developed prior to construction to reduce potential transportation impacts. This plan would be developed to support substantive compliance with City permitting requirements and will contain strategies for managing traffic during construction, traffic control, and notifications to nearby property owners. . To support this effort, signs will be posted in Port Angeles during Project design and construction that will include website and contact information to support communication and outreach.

15. Public Services

a. Would the project result in an increased need for public services?

The Project will not result in the need for additional public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

No measures are proposed to reduce, or control impacts on public services.

16. Utilities

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No new utilities are proposed as part of this Project.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of Signee: Jesse Waknitz

Position and Agency/Organization: Environmental Manager / Port of Port Angeles

Date Submitted: 10/18/2024

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Note:
· Basemap obtained from Esri, accessed 2023.

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Scale in Miles

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WPAHG
Western Port Angeles Harbor Group

SEPA Checklist
Western Port Angeles Harbor
Sediment Cleanup Unit
Port Angeles, Washington

Figure 1
Vicinity Map

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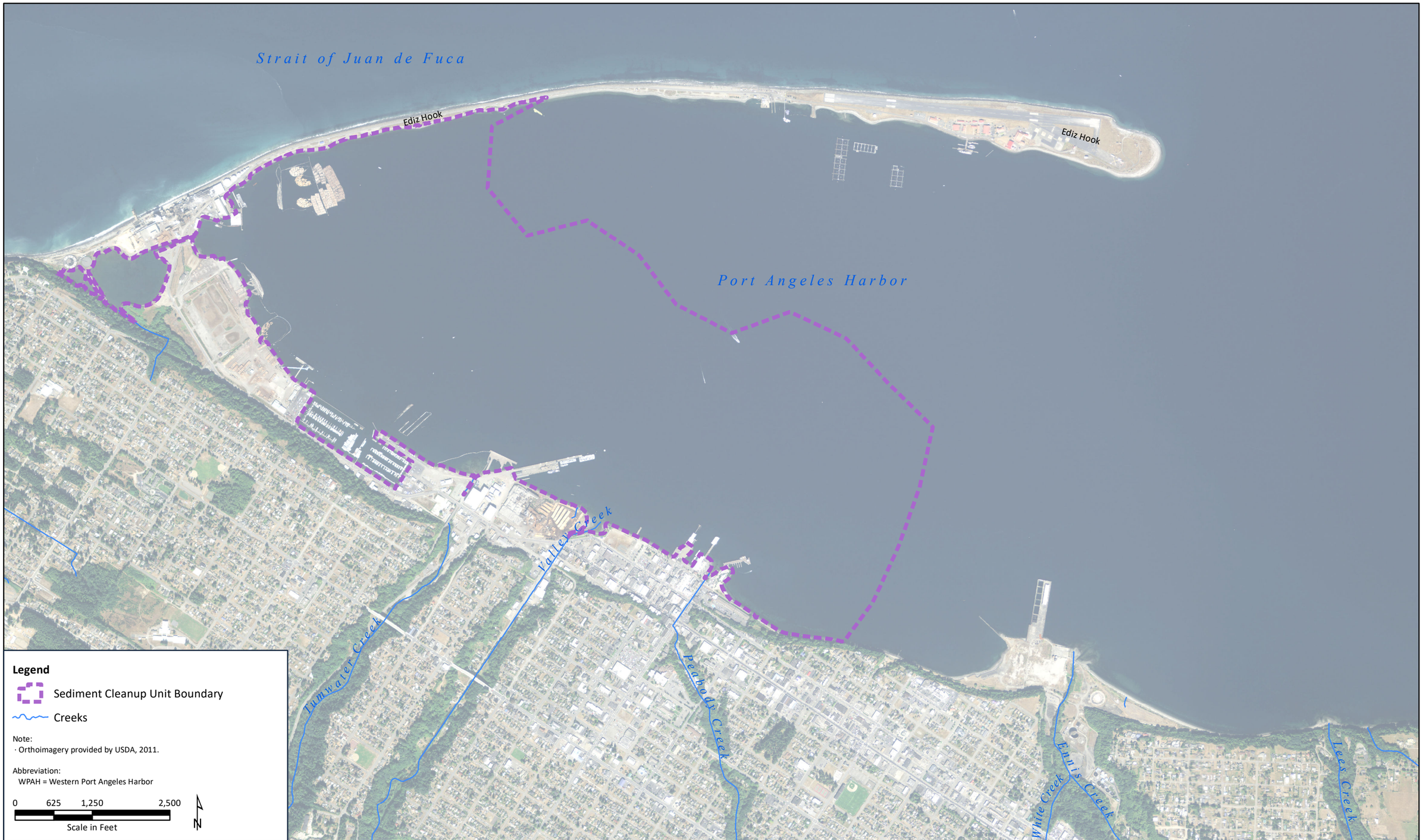
2/29/2024



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SEPA Checklist
Western Port Angeles Harbor Sediment Cleanup Unit
Port Angeles, Washington

Figure 2
Western Port Angeles Harbor Sediment Cleanup Unit

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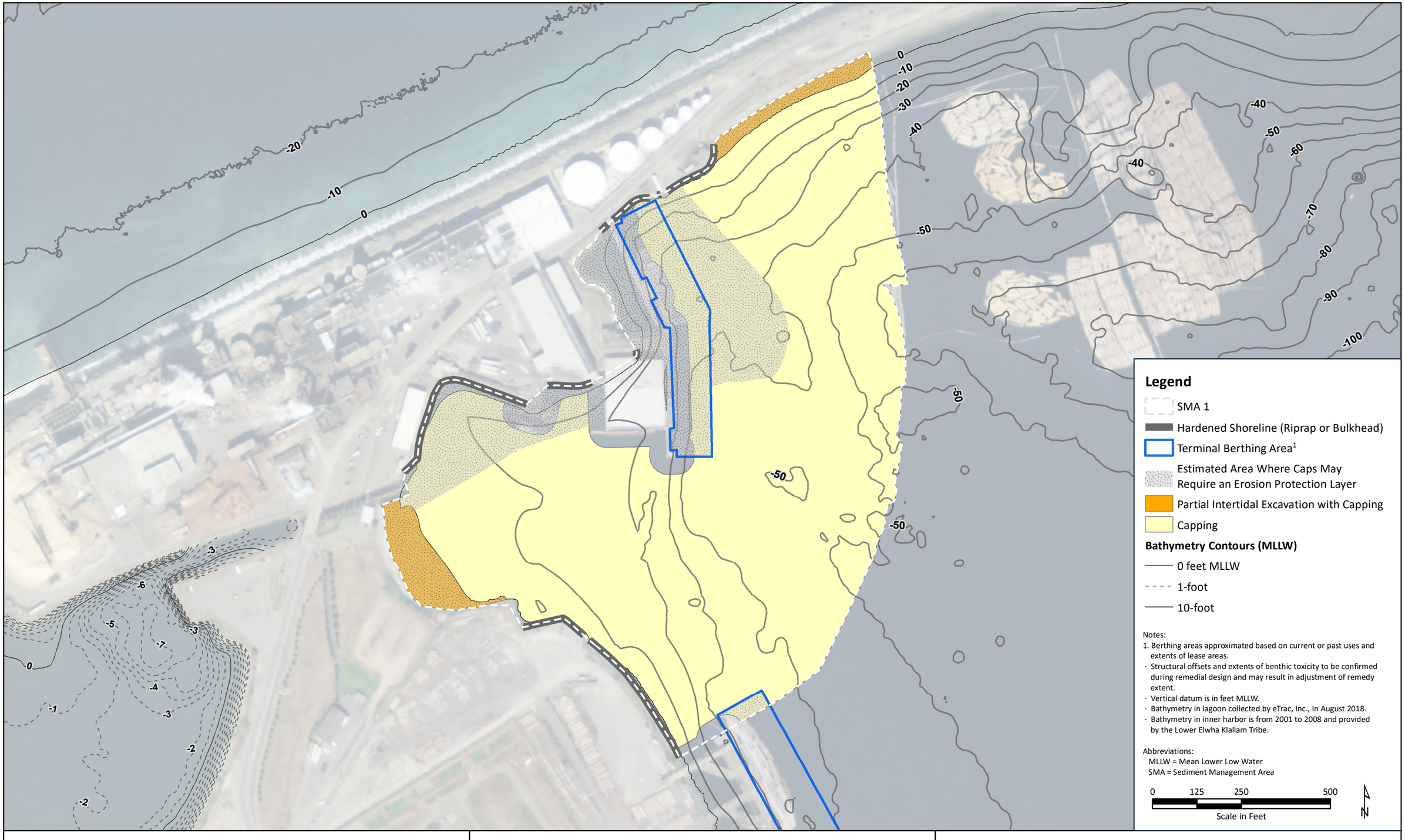

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Western Port Angeles Harbor Sediment Cleanup Unit
Port Angeles, Washington

Figure 3
SMA 1 Cleanup Action

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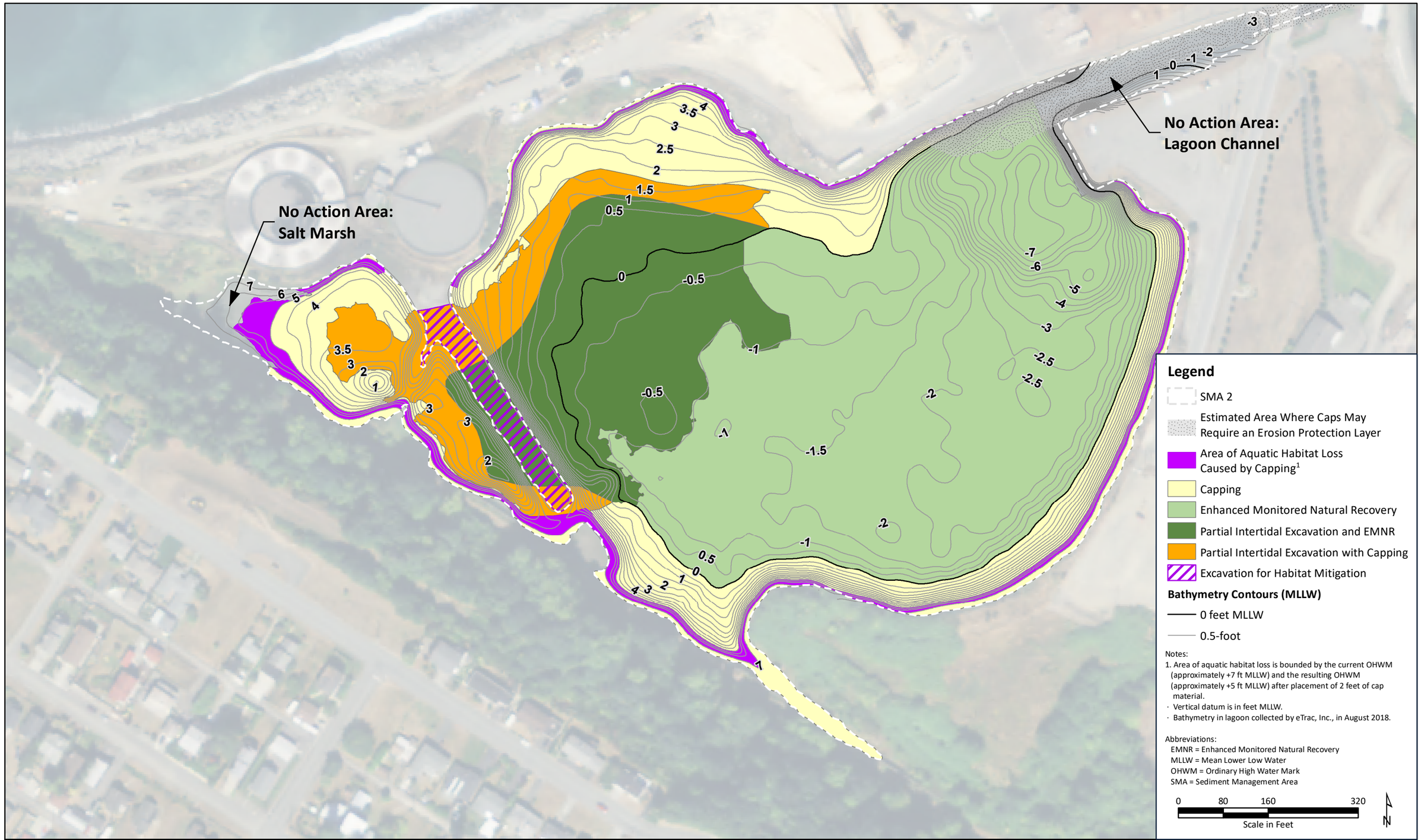

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Port Angeles, Washington

Figure 4
SMA 2 Cleanup Action

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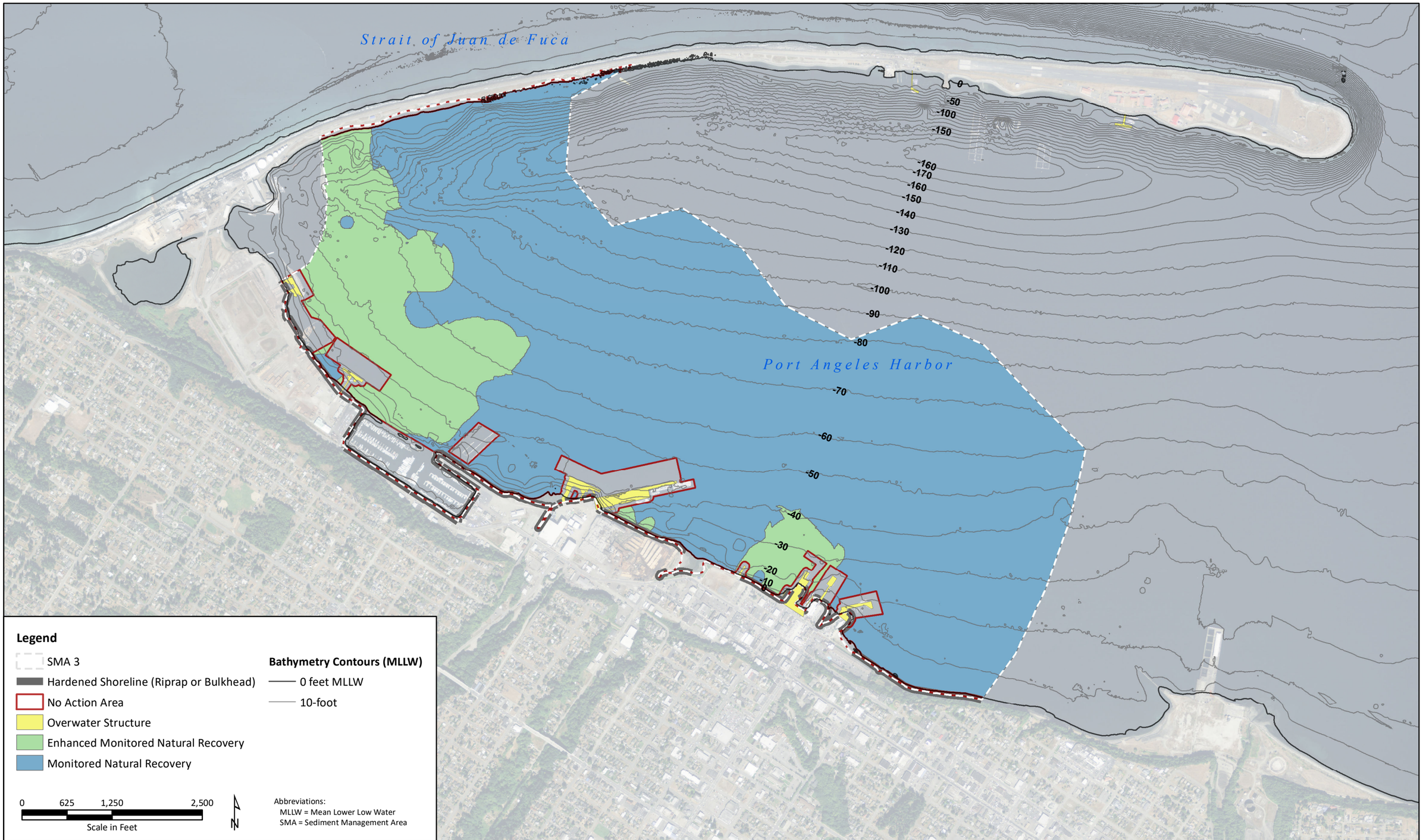

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Port Angeles, Washington

Figure 5
SMA 3 Cleanup Action

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