WAC 197-11-970 Determination of nonsignificance (DNS).

Description of proposal: Cornwall Avenue Landfill Site cleanup action. The cleanup action will be conducted under a MTCA consent decree between the Washington Department of Ecology and the Port of Bellingham, the City of Bellingham, and the Washington Department of Natural Resources. The cleanup action includes construction activities in two management units (MU-1, MU-2); cleanup activities in a third management unit (MU-3) will take place at a later date and is not part of this determination of nonsignifance. The activities in MU-1 will occur in the upland portion of the Site, and will include placement of a landfill cap, installation of a landfill gas venting system, and construction of a storm water drainage system. The activities in MU-2 will occur in the shoreline portion of the Site, and will include construction of a shoreline stabilization system, and placement of a sand filter and sediment cap.

Proponent: City of Bellingham, Port of Bellingham, Department of Natural Resources

Location of proposal, including street address, if any: Within City of Bellingham limits at the southern terminus of Cornwall Avenue (Section 36, Township 38N, Range 02E)

Lead agency: Washington Department of Ecology

The lead agency for this proposal has determined that it does 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). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☐ There is no comment period for this DNS.

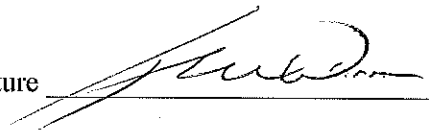
☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

x This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by July 2, 2014

Responsible official: Robert W. Warren, P.Hg., MBA

Position/title: Northwest Regional Section Manager, Toxics Cleanup Program **Phone**. 425 649-7054

Address: 3190 160th Ave. SE, Bellevue, WA 98008

Date. 5-22-14 Signature 

STATE ENVIRONMENTAL POLICY ACT (SEPA)
ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project: Cornwall Avenue Landfill Site Cleanup Action

2. Name of applicant: Port of Bellingham Telephone: (360) 676-2500

   Name of Contact: Brian D. Gouran Telephone: Same as above.

3. Address: P.O. Box 1677 Bellingham, WA 98227-1677

4. Date checklist prepared: March 10, 2014 (revised and resubmitted May 6, 2014)

5. Agency requesting checklist: Washington State Department of Ecology

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

   The Cleanup Action is expected to occur in a phased approach including detailed design and engineering, permitting, and construction. The current schedule anticipates construction activities to occur in 2015 and 2016; however construction activities may also be phased for upland and in-water work.

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

   The Cleanup Action is intended to be an independent project designed to address historical contamination and protect human health and the environment. Following the completion of the Cleanup Action, it is anticipated that the property will be redeveloped by the City of Bellingham as a public park. Although the Cleanup Action acknowledges the future park redevelopment, it is not directly associated with the Cleanup Action. The park redevelopment will be completed under a separate process by the City of Bellingham and will be required to comply with any environmental restrictive covenants that will be established as part of the Cleanup Action.

   In addition to the park planning, the City of Bellingham will conduct a separate cleanup action at an adjacent property referred to as the RG Haley site. The Cleanup Action design and schedule will be coordinated with the RG Haley site to avoid conflicts.

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

   https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=220

   - Cornwall Avenue Landfill Agreed Order No. 1778 (as amended);

- Bellingham Bay Comprehensive Strategy Final Environmental Impact Statement, dated October 2000;
- Final Environmental Impact Statement (FEIS) - The Waterfront District Redevelopment Project (Formerly Known as New Whatcom), dated July 2010;
- Cornwall Avenue Landfill Interim Action Plan, prepared by Landau Associates, August 18, 2011;
- Critical Area Report, Cornwall Avenue Landfill Interim Action Project, prepared by Landau Associates, November 2, 2011;
- Interim Action Completion Report-Cornwall Avenue Landfill, prepared by Landau Associates, August 22, 2012;
- Environmental Impact Statement Addendum - The Waterfront District Redevelopment Project, dated December 2012;
- Final Remedial Investigation/Feasibility Study, Cornwall Avenue Landfill, prepared by Landau Associates, December 17, 2013;
- Draft Cleanup Action Plan, prepared by Washington State Department of Ecology (Ecology), March, 2014

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

   No. The City of Bellingham is proposing the construction of an over-water walkway that would connect the southwest corner of the Cornwall Avenue Landfill Cleanup Site with the northwest corner of Boulevard Park. The City's over-water walkway project will require separate and independent permits and project-specific SEPA environmental review.

10. List any governmental approvals or permits that will be needed for your proposal, if known. Include Federal, State, City, County, and local districts or regional offices.

    The Cleanup Action will be conducted under a Consent Decree between the Port of Bellingham, the City of Bellingham, Washington State Department of Natural Resources (DNR), and Ecology in accordance with the Model Toxics Control Act (MTCA). Under MTCA, the Cleanup Action will be exempt from procedural requirements of state and local permits but must comply with the permit substantive requirements. A list of permits that are anticipated to be applicable to the project are presented below.

    Local Approvals/Permits:

    - City of Bellingham Shoreline Substantial Development Permit (Bellingham Municipal Code [BMC] Title 22.05);
    - City of Bellingham Fill and Grade Permit (BMC Title 16.70);
    - City of Bellingham Construction Stormwater Permit (BMC Title 15.42);

    State Approvals/Permits:

    - Department of Ecology National Pollutant Discharge Elimination System (NPDES) Construction General Permit;

- Washington Department of Fish and Wildlife Hydraulic Project Approval ;
- Northwest Clean Air Agency Air Operating Permit; and
- Washington State Department of Natural Resources Aquatic Land Use Authorization.

Federal Approvals/Permits (the Cleanup Action is not exempted from any required federal permits or approvals):

- U.S. Army Corps of Engineers approval under Section 404 of the Clean Water Act. It is anticipated that the proposed action will qualify for a Nationwide Permit No. 38 for Cleanup of Hazardous and Toxic Waste.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (You may attach a page if this space is not adequate.)

The Cornwall Avenue Landfill Site was historically utilized for sawmill operations, log storage, warehousing, and as a municipal waste landfill. Between the 1950s and 1965 the City of Bellingham used the property for municipal refuse disposal. The landfill was topped with a non-engineered soil cover. The presence of wood waste from historic sawmilling operations and the refuse has impacted site soils, groundwater, and sediments with hazardous chemicals which are required to be addressed through under MTCA.

The Cleanup Action is described as follows and is described in detail in the Draft Cleanup Action Plan prepared by the Washington State Department of Ecology (May 2014):

The Site is subdivided into three management units (MUs). MU-1 includes the upland portions of the Site which generally corresponds from BNSF railroad mainline to the top of the bank at the shoreline. MU-2 includes shoreline area waterward from the top of bank as well the intertidal and shallow subtidal portions of the Site. MU-3 has not been completed defined at this point in the process but is primarily the deeper subtidal portions of the Site. The Cleanup Action Plan for the Site currently only addresses MU-1 and MU-2. Future work will define the boundary of MU-3 at which time the Cleanup Action Plan and Consent Decree will be amended to define the cleanup approach for MU-3. The cleanup action described in this checklist consists of the following:

- MU-1: Containment with low permeability cap and liner.
  - Upland containment consisting of low-permeability soil cap and a scrim-reinforced liner, along with pavement or buildings to reduce stormwater infiltration. Cap will include surface drainage features designed to reduce stormwater infiltration and prevent erosion.
  - Upgradient stormwater actions to BNSF property and decommissioning or rehabilitation of the existing Site stormwater collection and conveyance system.
  - Passive collection and control system to mitigate the potential accumulation of landfill gas.
  - Compliance monitoring and institutional controls.

- MU-2: Shoreline stabilization with sand filter and thin-layer sand cap.
  - Shoreline stabilization system to prevent erosion and limit human and benthic contact.
  - A sand filter layer to treat groundwater prior to discharge to surface water.
  - A thin-layer sediment cap installed from the toe of the shoreline stabilization system to the outer limit of Site refuse and wood debris.
  - Compliance monitoring and institutional controls.

12. Location of the Proposal:

The Cornwall Avenue Landfill site is located within the City of Bellingham limits at the southern terminus of Cornwall Avenue (Section 36, Township 38N, Range 02E).

Latitude: 48.739179 North

Longitude: -122.494382 West

The property is located within the Waterfront District – Commercial Mixed Use.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site:

- ☒ Flat
- ☐ Rolling
- ☐ Hilly
- ☐ Steep Slopes
- ☐ Mountainous
- ☐ Other

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

<3%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The surface of the project area consists of gravel, pavement, and grass. Site soil generally consists of approximately 2 feet of fill soil overlying municipal refuse. Portions of the site include beach deposits with loose, fine to medium sand with occasional shell and wood fragments. In addition, approximately 47,500 cubic yards of fine grain fill material was placed at the Site as part of an interim remedial action in 2012. The material is covered with 20-mil scrim reinforced polyethylene liners.

No prime farmland exists on the site.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No. However, the site has been identified as a very high seismic hazard area, and settlement is common in landfill settings.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

The cleanup action for MU-1 will include re-grading and compaction of approximately 47,500 cubic yards of low permeability, fine grain soil currently staged at the Site. Approximately 71,500 cubic yards of additional fill material will be imported as components of the low permeability capping system. Final details of the capping system will be developed in remedial design, however, it is anticipated that the 71,500 cubic yards of fill will include approximately 27,500 cubic yards of imported structural fill, 16,850 cubic yards of imported sand as a drainage layer, 16,850 cubic yards of imported topsoil.

The cleanup action for MU-2 will include the placement of approximately 51,300 cubic yards of imported fill material for sand filter, shoreline stabilization and subtidal capping. Final details will be developed in remedial design, however, it is anticipated that the 51,300 cubic yards will include approximately 10,300 cubic yards of imported sand for use as a shoreline sand filter, 30,800 cubic yards of gravel/riprap for shoreline stabilization, 5,100 cubic yards of sand/gravel as fish habitat, and 5,100 cubic yards of sand for subtidal capping.

The source of the imported fill material has not been determined at this time, but the source will be provided to Ecology for approval once determined.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

The shoreline in vicinity of the site has been identified as an area with the potential for wave erosion. However, the shoreline stabilization component of MU-2 is intended to prevent shoreline erosion. Due to the flat topography of the site, upland erosion is not expected to result from the completed project.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Because the intent of the Cleanup Action is to prevent surface water infiltration and reduce generation and transport of contaminated groundwater, it is anticipated that a low permeability cap will cover at least 95% of MU-1. However, the capping system includes a topsoil surface and a drainage layer over the impervious cap which will allow infiltration and redirection of surface water to occur in the upper 2 feet of the clean imported material. It is anticipated that approximately 15% of MU-1 will be covered with pavement or other surficial impervious surfaces.

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

Contractors will be required to implement Best Management Practices (BMPs) for erosion control during construction consistent with the Washington State Department of Ecology Stormwater Management Manual for Western Washington. These may include covering stockpiles, use of fabric filter fencing, straw bales, interceptor swales, and/or similar measures. A Stormwater Pollution Prevention Plan will be prepared in

accordance with the NPDES Construction General Permit that will be required for the project.

2. **AIR**

a. What types of emissions to the air would result from the proposal (e.g., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Short-term emissions to the air would result from diesel and gasoline automobile/equipment exhaust during construction. Although dust generation will likely be limited since some construction activities will occur during the wet season with materials at or above optimum moisture, the contractor will be prepared to implement dust suppression BMPs including, but not limited to covering and/or wetting if necessary.

The Cleanup Action also includes the installation of a landfill gas collection system. Additional detail on the landfill gas collection system will be developed during project design and engineering.

b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.

No.

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

Standard construction equipment will be utilized. During site preparation and construction, contractors will take reasonable precautions to minimize dust emissions.

The landfill gas collection and treatment system will be designed in accordance with Northwest Clean Air Authority and Ecology requirements. It is anticipated that gas vent risers with passive venting will installed in conjunction with the collection system. System design will determine location and height of the vent risers and if active treatment of landfill gas will be required to meet Northwest Clean Air Authority and Ecology requirements.

3. **WATER**

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Ponded and flowing surface water has been observed throughout the year adjacent to the MU-1 along the BNSF railroad tracks. The water is conveyed under the railroad tracks through a small culvert to a depression adjacent to the site where it appears to infiltrate. In addition, MU-1 is adjacent to Bellingham Bay. The MU-2 includes intertidal and shallow subtidal portions of Bellingham Bay.

2) Will the project require any work over, in, or adjacent to (within 200 feet) of the described waters? If yes, please describe and attach available plans.

Portions of the cleanup action for MU-1 will include grading and placement of a low permeability capping system within 200 feet of Bellingham Bay. Work associated with the MU-2 including the sand filter, shoreline stabilization and subtidal thin layer capping will include in-water work in Bellingham Bay.

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.

Final details will be developed in remedial design, however, it is anticipated the cleanup action for MU-2 will include the placement of approximately 51,300 cubic yards of imported material in the intertidal and shallow subtidal portions of Bellingham Bay. This will include approximately 10,300 cubic yards of imported sand for use as a shoreline sand filter, 30,800 cubic yards of gravel/riprap for shoreline stabilization, 5,100 cubic yards of sand/gravel as fish habitat, and 5,100 cubic yards of sand for subtidal capping. As preparation for the shoreline stabilization system, approximately 1,000 cubic yards of refuse will be removed from the shoreline prior to fill placement.

The source of the imported fill material has not been determined at this time, but the source will be provided to Ecology for approval once determined.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Stormwater controls will be installed to reduce/eliminate surface water currently infiltrating into landfill from the depression adjacent to the site and BNSF railroad.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Potential discharges to surface water during the cleanup action could include leakage of petroleum products (fuel, oil, grease, hydraulic fluid, lubricants etc.) from equipment and could enter water in stormwater runoff. Best management practices (BMPs) will be in place to minimize and control potential surface water discharges during construction. Shoreline stabilization construction and subtidal capping will be conducted in a manner to limit disturbance of refuse during construction. A detailed construction phasing approach and BMPs will be presented in the Engineering Design Report for Ecology approval.

Post construction site conditions will not generate any waste materials that could discharge to surface waters.

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water Runoff (including storm water):

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

During construction activities, storm water will be treated on site through various BMPs until the site is stabilized. A Temporary Erosion and Sediment Control (TESC) plan will be developed and implemented throughout construction to minimize potential impacts associated with sediment and erosion. Temporary construction BMPs will include both source-control BMPs and treatment BMPs.

One objective of the Cleanup Action is to limit infiltration of surface water throughout the site. As part of the Cleanup Action, stormwater management will consist of interception, treatment (as applicable), and conveyance to a surface water discharge to Bellingham Bay. The existing stormwater collection and conveyance system will be decommissioned or rehabilitated and some additional actions such as re-grading, lining of ditches, and tight-line conveyance of stormwater will be made in the area which currently accumulates water near the BNSF railroad tracks.

2) Could waste materials enter ground or surface waters? If so, generally describe.

It is possible that accidental spills from trucks or construction equipment could enter surface and/or groundwater during construction. However, spill response measures will be available on site during project construction and implemented in the event of a spill. During shoreline stabilization activities, there is a possibility that the temporary exposure of currently buried refuse material could result in short term releases of waste material to surface waters.

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

Potential construction-related stormwater runoff associated with the proposed project during construction will be addressed through implementation of a TESC plan and associated BMPs.

It is anticipated that the construction of the shoreline stabilization system will be conducted to the extent practicable "in the dry" during periods of low-tide to minimize the potential for releases during construction. The need for other BMPs such as silt curtains and in-water containment booms will be considered during design.

4. **PLANTS**

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

- ☒ Deciduous tree: alder, maple, aspen, other: Alder
- ☐ Evergreen tree: fir, cedar, pine, other:
- ☒ Shrubs
- ☒ Grass
- ☐ Pasture
- ☐ Crop or grain
- ☐ Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other:
- ☒ Water plants: Macroalgae, eelgrass
- ☐ Other types of vegetation:

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

Grading and capping associated with the Cleanup Action for MU-1 will remove any existing vegetation (alder, grass and blackberry bushes) within the footprint of the cleanup action area.

The Cleanup Action for the MU-2 will result in the net loss of approximately 1.1 acres of eelgrass and macroalgae in areas of shoreline stabilization and thin layer capping. Anticipated approach and potential methods for minimizing impacts to eelgrass and macroalgae are described below in Section 4 (d).

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

None are known.

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

Detailed upland vegetation plans and methods for minimizing eelgrass and macroalgae impacts will be presented in the EDR. This will at a minimum include an accounting / balancing of shoreline ecological function lost (eelgrass) with the ecological function gained resulting from implementation of the Cleanup Action. Potential methods for minimizing impact may include evaluation of areas within MU-2 where capping can be phased over time or adjusted based on updated data. Other methods may include eelgrass reseeding/colonization and monitoring. Additional detail will be addressed in the EDR and subsequent permitting documents.

In conjunction with the Cleanup Action for MU-1, the entire site will be graded for drainage and covered with a minimum of a foot of topsoil and seeded with a low maintenance grass.

5. **ANIMALS**

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

Birds:

- ☒ Hawk,
- ☒ Eagle,
- ☒ Great Blue Heron,
- ☒ Songbirds;

☒ Other: Ducks, Geese, Cormorant, Gulls

Mammals:
☒ Deer, ☐ Bear,
☐ Elk, ☐ Beaver;
☒ Other: Otter, Harbor Seal

Fish:
☐ Bass, ☒ Salmon,
☐ Trout, ☐ Herring,
☒ Shellfish; ☒ Other: Forage Fish

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

Table 1 details Endangered Species Act (ESA)-listed species that may potentially occur in the vicinity of the Project or might be affected by the proposed work.

Table 1
ESA-listed Species Potentially in the Vicinity of the Central Waterfront Site Chevron Subarea Interim Action Cleanup Project

Species	Status	Agency	Critical Habitat Status
Chinook salmon (*Oncorhynchus tshawytscha*) Puget Sound ESU	Threatened	NMFS	Designated
Steelhead (*Oncorhynchus mykiss*) Puget Sound DPS	Threatened	NMFS	Under development
Bull trout (*Salvelinus confluentus*) Coastal Puget Sound DPS	Threatened	USFWS	Designated
Bocaccio (*Sebastes paucispinus*) Georgia Basin DPS	Endangered	NMFS	None proposed or designated
Yelloweye rockfish (*Sebastes ruberrimus*) Georgia Basin DPS	Threatened	NMFS	None proposed or designated
Canary rockfish (*Sebastes pinninger*) Georgia Basin DPS	Threatened	NMFS	None proposed or designated
Killer whale (*Orcinus orca*) Southern Resident DPS	Endangered	NMFS	Designated
Humpback whale (*Megaptera novaeangliae*)	Endangered	NMFS	None proposed or designated
Steller sea lion (*Eumetopias jubatus*)	Threatened	NMFS	None in Washington State
Marbled murrelet (*Brachyramphus marmoratus*)	Threatened	USFWS	Designated – none in action area

Notes:
DPS – Distinct Population Segment
ESU – Evolutionary Significant Unit
NMFS – National Marine Fisheries Service
USFWS – U.S. Fish and Wildlife Service

c. Is the site part of a migration route? If so, explain.

Yes, all lands within the Whatcom County lowlands are within the Pacific Migratory Flyway. Birds that inhabit the area vary seasonally due to migration.

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

The Project will adhere to applicable regulatory requirements related to the preservation of animals. It is anticipated that an ESA Biological Evaluation (BE) will be prepared during permitting to address impacts to the federally-listed species. BMPs and conservation measures will be included in the BE to minimize impacts to federally-listed species and will also provide protections for non-listed wildlife. The Cleanup Action is being conducted as a remedial action to address site contamination. Long-term improvements to groundwater quality will improve and enhance adjacent surface water quality.

6. ENERGY AND NATURAL RESOURCES

a. What kind of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

No long-term energy needs required for completed project, however fossil fuels and electric power will be required for the construction phase of the Cleanup Action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

There are no energy needs for this project once construction is complete, therefore, none are proposed.

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? If so, describe.

Potential discharges to surface waters during the cleanup project could include accidental spills or leakage of petroleum products from construction equipment. The contractor will be required to prepare a site specific health and safety plan for work in areas where contaminated soils, refuse, or landfill gas may be encountered.

1) Describe special emergency services that might be required?

None are anticipated.

2) Proposed measures to reduce or control environmental health hazards, if any:

The objective of the Cleanup Action is to address historical contamination and to protect human health and the environment. During construction activities, standard handling procedures and BMPs will be in place and conducted in accordance with MTCA site requirements. Contractors will be required to develop and comply with a site-specific Health and Safety Plan, including appropriate Hazardous Waste Operations and Emergency Response (HAZWOPER) training. Following completion of

the Cleanup Action institutional controls will be put in place to ensure the integrity and protectiveness of the cleanup is maintained.

b. **Noise**

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Existing noise will not affect the project.

2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Typical construction noise from vehicles and equipment would be expected on a short-term basis during construction activities. Depending on tide cycles some construction activities may take place during evening and night-time hours. Local regulations will be adhered to during construction. No long-term noise is anticipated from this project.

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

Equipment will be appropriately sized for operations needed and running only when necessary. Construction activities will be performed in accordance with local regulations for noise and will obtain site-specific variances as necessary.

8. **LAND AND SHORELINE USE**

a. What is the current use of the site and adjacent properties?

The site and adjacent properties are vacant former industrial properties. The BNSF Railway mainline bounds the eastern and southern portion of the site.

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

There are currently no structures in the immediate vicinity of the project site.

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

No.

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

Commercial Mixed Use

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

Commercial Mixed Use

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

Waterfront District Shoreline Designation - Recreational Uses Sub-Area

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The Cleanup Action for the MU-2 lies within waters that are designated as critical habitat for Chinook salmon, bull trout, and orca. This area would be considered a designated Fish and Wildlife Habitat Conservation Area (BMC 16.55.470) and Critical Saltwater Habitat (BMC 22.08.040).

As noted in above in Section B.1.d & f (Earth) the project area has been identified as a very high seismic hazard area.

Marine shorelines are designated as environmentally sensitive areas under the City's Critical Areas Ordinance.

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

N/A

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

N/A

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

N/A

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

The Cleanup Action is consistent with the Port and City land use presented in the Waterfront District Sub-Area Plan (Port/City 2013). The project will complete the environmental cleanup of historical contamination and will be designed to be compatible and not interfere with the City of Bellingham's development and construction of a waterfront park which will be implemented as a separate project.

9. **HOUSING**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A.

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

N/A.

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 permanent structures are proposed as part of the Cleanup Action. It is anticipated that a number of PVC landfill gas vent risers will extend approximately four feet above the finished grade.

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

None.

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

N/A.

11. LIGHT AND GLARE

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

No light or glare is anticipated to be associated with the Cleanup Action. It is currently anticipated that the majority of the work will occur during normal day-time working hours. Depending on permitting requirements and associated tidal cycles some limited night time work may be required. If night work is required temporary, mobile light stands may be used during work hours.

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

No.

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

None.

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

N/A.

12. RECREATION

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

No recreational opportunities are currently available at the site. Access to the site is currently restricted due to historical contamination and public safety concerns. The adjacent waters of Bellingham Bay are used by recreational boaters and small personal watercraft such as kayaks etc. Moorage is not available at the site.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

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

The project site currently does not support recreation. The Cleanup Action will address historical contamination to protect human health and the environment. The proposed project will enhance public access to the site by completing cleanup to allow subsequent redevelopment as a public park. Following completion of the Cleanup Action, the site is planned for transition to a public park under the Waterfront District Sub-Area Plan. The City of Bellingham is underway with the park master planning.

13. HISTORIC AND CULTURAL PRESERVATION

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

The historic and cultural resources evaluation described in the Waterfront District FEIS did not identify any known national, state, or local preservation registers on or next to this site. However, the area comprising the site historically consisted of tide flats and shoreline along the base of the adjacent bluff. Dating back from pre-history to the 19th century, the Bellingham waterfront, (including the vicinity of the project site) was traditionally occupied by ancestors of the present-day Lummi Nation and Nooksack Indian Tribe (FEIS, Appendix M). The settlement and subsistence of communities throughout this region were similar in many ways, primarily in the seasonal cycle of congregation at winter villages. Winter villages were usually located along protected coastlines, where activities such as shellfish gathering and fishing could be pursued. European settlement occurred in and around Bellingham Bay during the 1850s.

Although no archaeological cultural resources have been identified at the project site, it is located in a potentially archaeologically-sensitive landscape. A portion of the project site along the bluff is noted in the FEIS as having the potential to retain archaeological resources. However, usage of the project site for industrial purposes and disposal of refuse likely resulted in the burial of any cultural resources that may have been present near the historical shoreline. Additionally, the area immediately below the bluff is occupied by the BNSF Railway mainline, the construction of which likely displaced or buried cultural resources that may have been present near the original shoreline.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

No structures remain on the site. Historic and cultural resources are described in the Waterfront District FEIS.

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

It is anticipated that ground disturbances will be limited to the upper 2 to 4 feet of the existing grade and will consist primarily of regrading imported fill material. Prior to the construction project, a Cultural Resources Management Plan will be developed detailing procedures and protocols for unanticipated discoveries of cultural resources for use during construction activities.

14. **TRANSPORTATION**

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.

The site is accessible by Cornwall Avenue and a privately-owned road across the adjacent City of Bellingham Parcel which will be utilized for access during project construction.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. The site is located approximately 0.5 miles from a Whatcom Transit Authority stop near the intersection of Boulevard and Wharf Street.

c. How many parking spaces would the completed project have? How many would the project eliminate?

None.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Import of fill material will brought to the site as part of the Cleanup Action. Based on the anticipated volume of material to be imported, it is expected that during construction up to 10 truck trips per day will be generated. In addition, construction workers would likely generate up to 10 trips per day and up to 5 peak hour trips.

Following completion of the Cleanup Action, vehicular traffic is not anticipated to change as a result of the project.

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

Truck traffic will be routed from the site to the designated City approved truck route. During construction, onsite parking will be available to contractors. Following completion of the Cleanup Action, vehicular traffic is not anticipated to change as a result of the project.

15. **PUBLIC SERVICES**

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

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

N/A

16. **UTILITIES**

a. Check utilities currently available at the site:

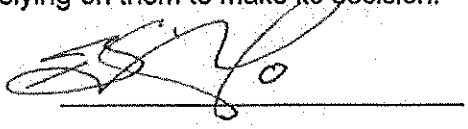
- ☐ Electricity,
- ☐ Natural gas,
- ☐ Water,
- ☐ Refuse service,
- ☐ Telephone,
- ☐ Sanitary sewer,
- ☐ Septic system,
- ☐ Other:

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.

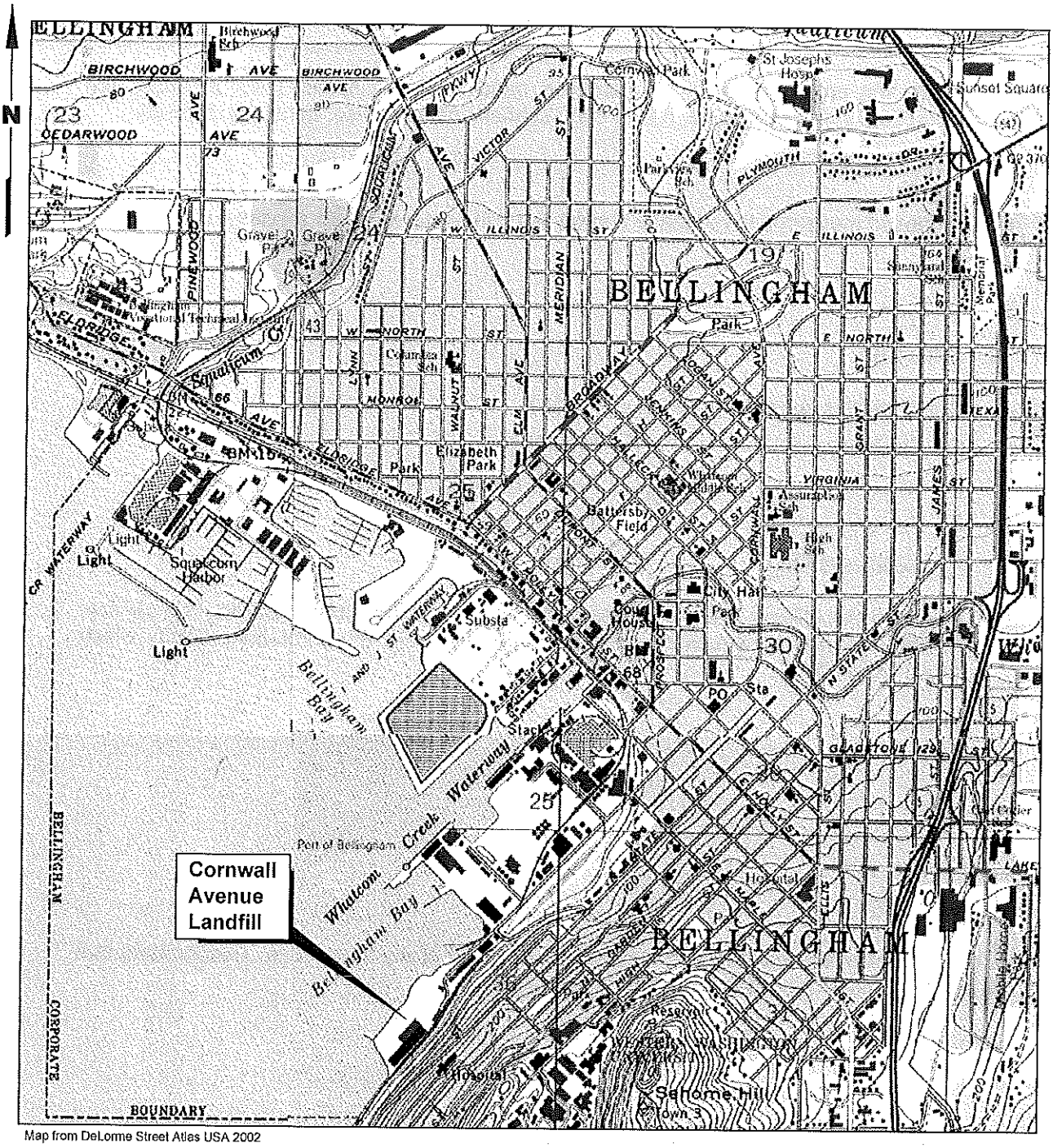
None.

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: 

Date Submitted: 5/6/2014

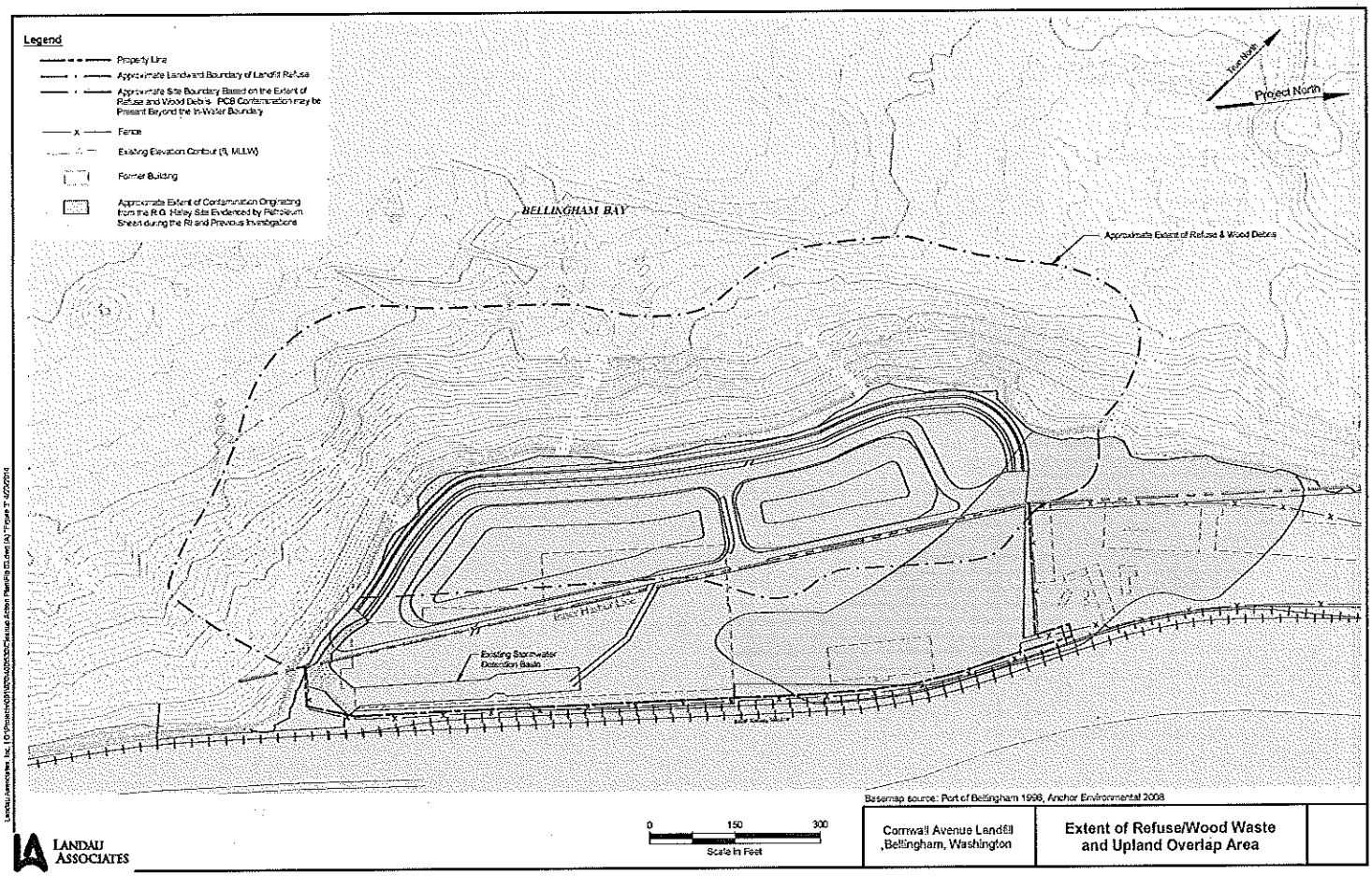


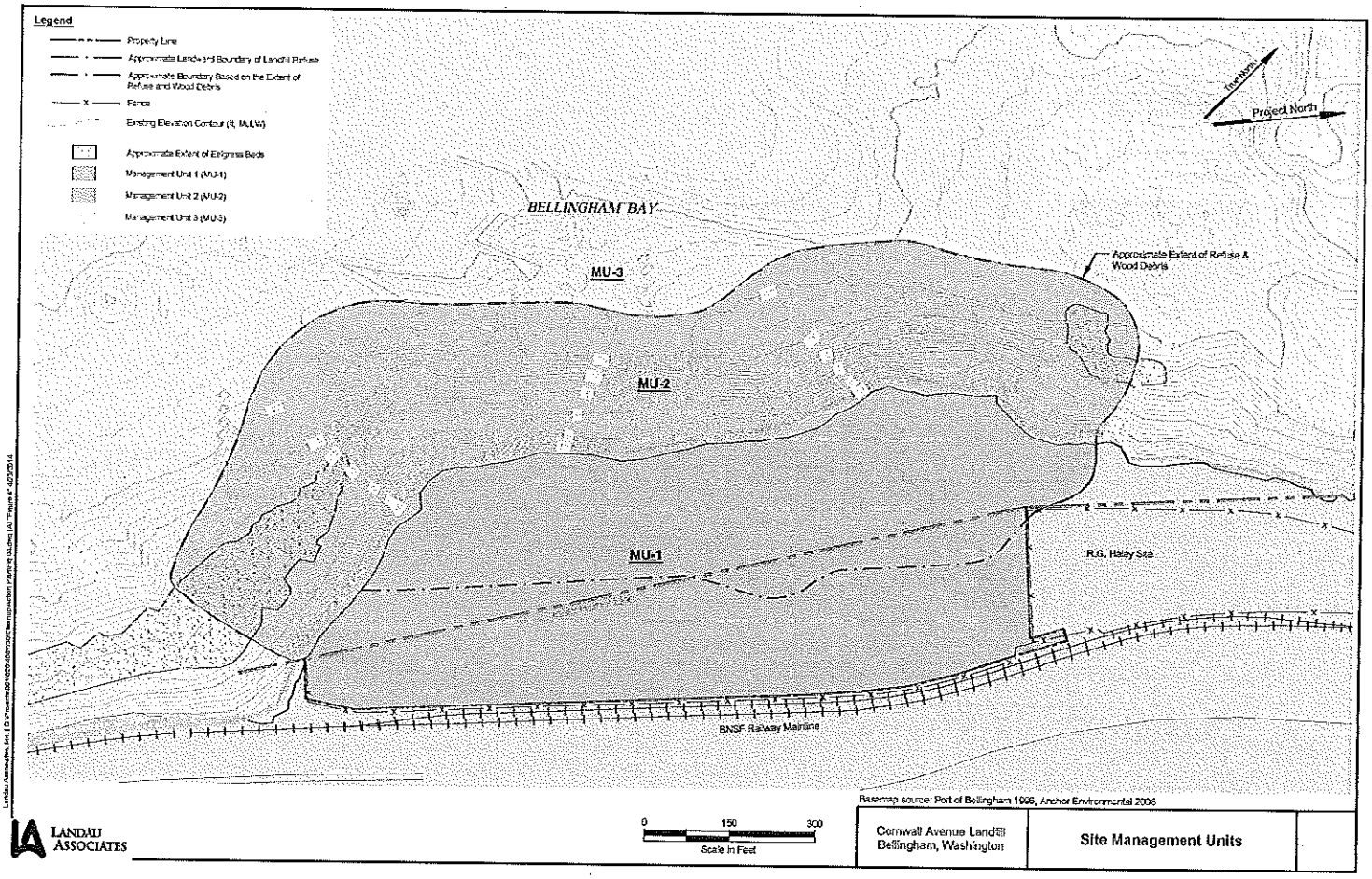
Port of Bellingham \ Cornwall Avenue Landfill \ RI/FS | G:\Projects\001\020\400\530\Cleanup Action Plan\Fig 01.dwg (A) "Figure 1" 2/20/2014

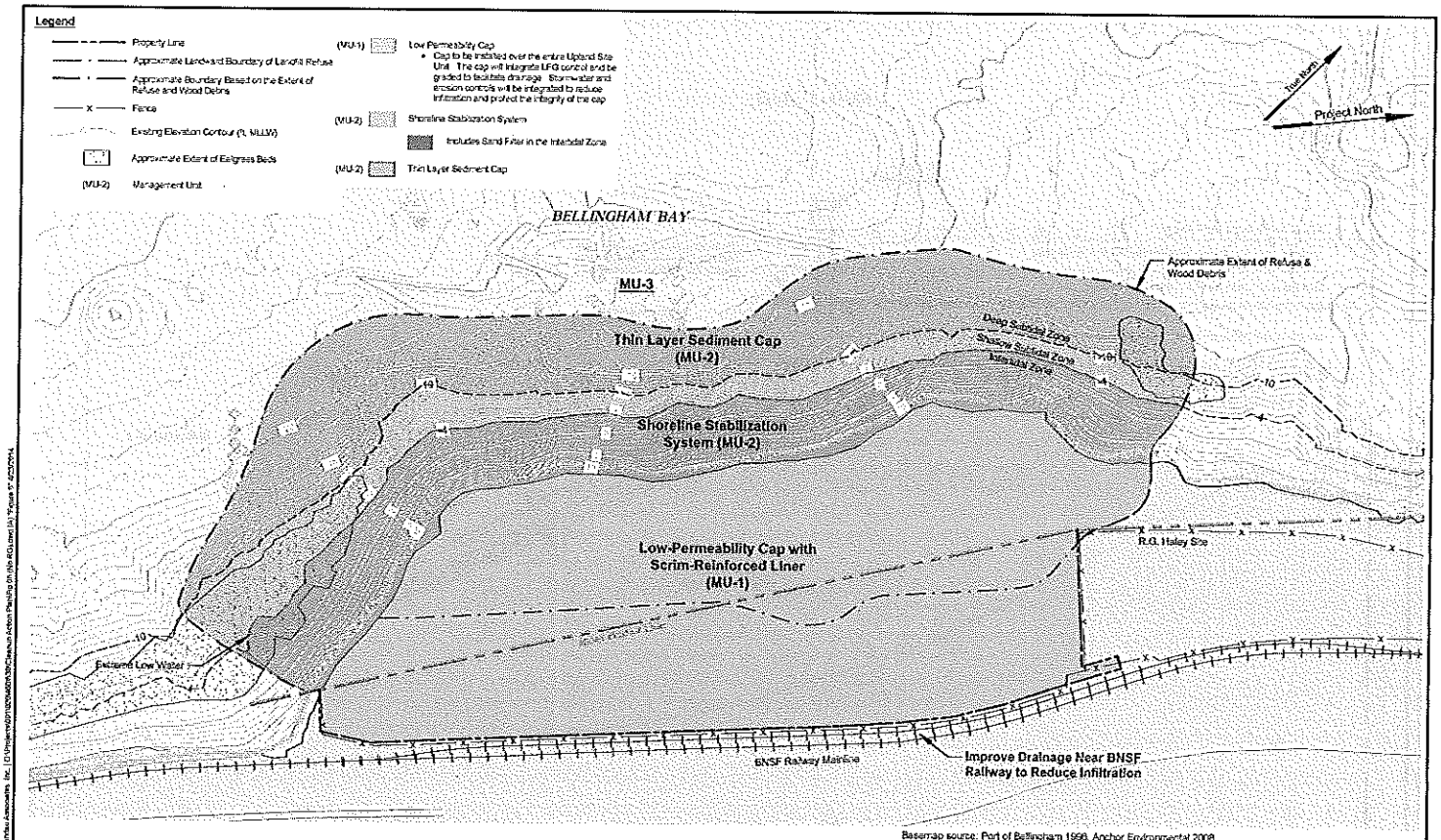
LANDAU ASSOCIATES

Cornwall Avenue Landfill
Bellingham, Washington

Vicinity Map


Legend
Property Line
Approximate Landward Boundary of Landfill Refuse
Approximate Site Boundary Based on the Extent of Refuse and Wood Debris. PCB Contamination may be Present Beyond the In-Water Boundary
Fence
Existing Elevation Contour (ft, MLLW)
Former Building
Approximate Extent of Contamination Originating from the R.G. Haley Site Evidenced by Petroleum Sheen during the RI and Previous Investigations
BELLINGHAM BAY
Approximate Extent of Refuse & Wood Debris
True North
Project North
Existing Stormwater Detention Basin
Basemap source: Port of Bellingham 1998, Anchor Environmental 2008
0
150
300
Scale in Feet
LANDAU ASSOCIATES
Cornwall Avenue Landfill ,Bellingham, Washington
Extent of Refuse/Wood Waste and Upland Overlap Area

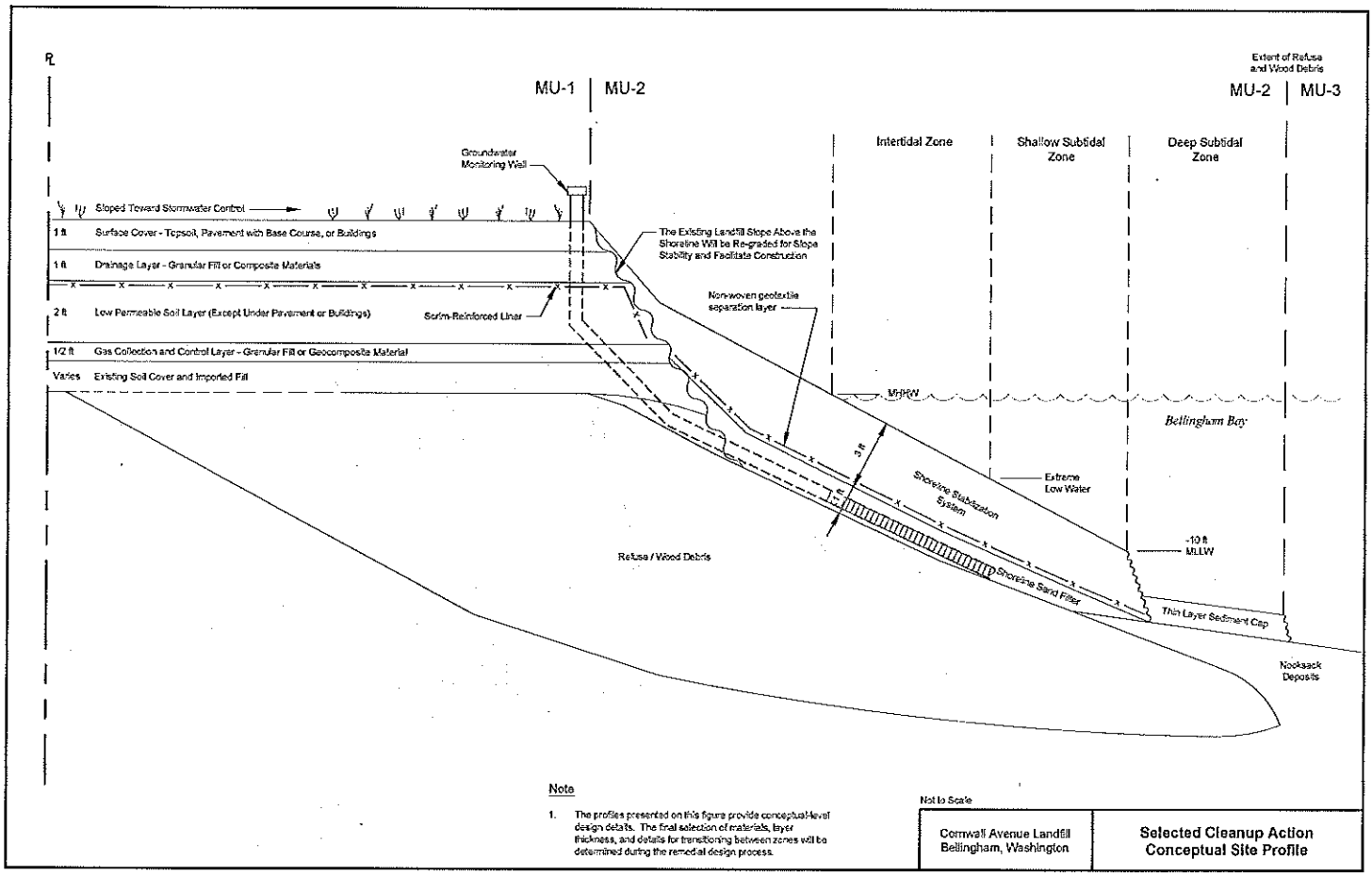

Legend
Property Line
Approximate Landward Boundary of Landfill Refuse
Approximate Boundary Based on the Extent of Refuse and Wood Debris
Fence
Existing Elevation Contour (ft, MLLW)
Approximate Extent of Eelgrass Beds
Management Unit 1 (MU-1)
Management Unit 2 (MU-2)
Management Unit 3 (MU-3)
True North
Project North
BELLINGHAM BAY
MU-3
MU-2
MU-1
Approximate Extent of Refuse & Wood Debris
R.G. Haley Site
BNSF Railway Mainline
Basemap source: Port of Bellingham 1996, Anchor Environmental 2008
0
150
300
Scale in Feet
LANDAU ASSOCIATES
Cornwall Avenue Landfill
Bellingham, Washington
Site Management Units



Basemap source: Port of Bellingham 1998, Anchor Environmental 2008

LANDAU ASSOCIATES

Cornwall Avenue Landfill Bellingham, Washington	**Selected Cleanup Action Conceptual Site Plan**



Note

1. The profiles presented on this figure provide conceptual-level design details. The final selection of materials, layer thickness, and details for transitioning between zones will be determined during the remedial design process.

Not to Scale

Cornwall Avenue Landfill Bellingham, Washington	**Selected Cleanup Action Conceptual Site Profile**