

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

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The Port of Olympia (Port) previously undertook State Environmental Policy Act (SEPA) review in 2007 for the East Bay Short Plat (short platting one existing legal lot into 9 lots), implementing associated infrastructure/street improvements, and demolishing existing structures on the Site, resulting in a modified Mitigated Determination of Nonsignificance (MDNS) which was issued September 2007. At that time, the environmental remediation was being conducted independently under the Voluntary Cleanup Program for the Site and infrastructure work. To expedite the cleanup for future developments and to ensure Ecology oversight, the Site was transferred into the formal cleanup program in February 2008. Ecology and the Port entered into the Agreed Order in October 2008 to begin cleanup of Site contamination. As part of this Agreed Order, the Port is required to develop work plans to complete an Interim Action (IA) and a Remedial Investigation (RI) at the site. Applicable SEPA regulations state that a SEPA determination shall be issued for a MTCA Interim Action (WAC 197-11-268). This environmental review complies with that requirement, given the modified structure of the clean-up action since the Port's initial related SEPA review.

The IA will be completed during the Port's construction of infrastructure improvements (roads and utility lines). The scope of the IA includes the removal of contaminated soil and the treatment of rainwater and groundwater collected/generated during infrastructure installation trenching activities. The IA Work Plan outlines how the excavated soil will be managed and assessed for reuse or disposal offsite. Water treatment will be according to the National Pollutant Discharge Elimination System (NPDES) Permit. The water treatment facility will be temporary, only to be used for the purpose of dewatering utility trenches during construction of the East Bay Infrastructure Project. The engineering design report for the proposed treatment system has been reviewed and approved by Ecology. The approved treatment system consists of influent settling tanks, sand filtration, bag filtration, activated carbon, and a post-treatment storage tank. The treated water will be released into the existing storm system, which will discharge into the East Bay of Budd Inlet. Current engineering estimates demonstrate that the discharge will be intermittent, occurring during heavy rainfall and when construction trenches require dewatering. The maximum discharge flow will be 500 gallons per minute. The maximum duration of the IA will be approximately 10 months.

Proponent: The Port of Olympia

Location of proposal, including street address, if any: The East Bay Redevelopment Site is generally located at 315 Jefferson Street NE in Olympia.

Lead agency: Washington State 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.

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 April 16, 2009.

Responsible official: Rebecca S. Lawson, P.E., LHG

Position/title: Washington State Department of Ecology, Southwest Regional Office, Section Manager.

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Date 3/16/09 Signature Rebecca S. Lawson