

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

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: *The project will be implemented under a Model Toxics Control Act (MTCA) consent decree. This project consists of removing approximately 1,000 cubic yards of soil to meet MTCA soil cleanup criteria. The volume of the soil excavation was determined based on remedial investigation/feasibility (RI/FS) which was conducted in 2007. The Excavated soil will be characterized and hauled off-site for disposal. The site is presently zoned residential, no changing in zoning/use is proposed.*

Proponent: Mr. and Mrs. Lufkin (Project name, Bordeaux Dump)

Location of proposal, including street address, if any: 13434 S.W. Halo Kuntux Lane, Olympia, Washington

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 July 5, 2010.

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

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

Phone: (360) 407-6241

Address: P.O. Box 47775, Olympia, WA 98504-7775

Date. 6/1/2010 Signature Rebecca S. Lawson

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of 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. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

MTCA Remedial action at Bordeaux Dump Site

2. Name of applicant:

Chauncey Lufkin

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

Chauncey Lufkin

19 Country Club Dr. SW

Tacoma, WA 98498

Contact person regarding this project

Tom McKeon

Calibre Systems

16935 SE 39th St

Bellevue WA 98008

Ph 425 643 4634

4. Date checklist prepared:

21-Dec-09

5. Agency requesting checklist:

Ecology

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

May-August 2010

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

None

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

A MTCA RI/FS for this site has been completed

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.

None known

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

Ecology approval of Cleanup Action Plan, a grading permit from Thurston County may be required

11. Give 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. (Lead agencies may modify this form to include additional specific information on project description.)

The project will remove soil to meet MTCA cleanup criteria, sample the soils, back fill the excavations and truck the material off-site for disposal. The site is presently zoned residential, no changing in zoning/use is proposed.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The site is located southwest of Littlerock, Washington, north of Bordeaux Road, and is accessed via Halo Kuntux Lane, a gated private gravel road. The legal description of the property is the East 1/2 of the NW 1/4 of Section 9, Township 16 North, Range 3 West of the Willamette Meridian, lying northerly of the county road known as Bordeaux Road.

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

FLAT (in the area where actions are planned)

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

20%, (but not in the area where actions are planned)

- 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.

Sand and gravel

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

None

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

Approximately 1000 yards to be used as fill from are to be excavated and taken from and existing on-site gravel pit.

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

No the area is flat, the soil is sand and gravel

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

None (no change from current condition)

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

None required

a. **Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the

project is completed? If any, generally describe and give approximate quantities if known.

Some dust may be generated from truck traffic on the existing gravel road

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

None

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

Use of a water truck on the road if dust levels generated create a nuisance

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.

A wetland is located on the NW corner of the property, it will not be impacted by any actions taken on the site (none near the wetland). A unnamed seasonal creek flow past the NE corner of the property and another along the western boundary at the base of the bluff. No action will be taken near these areas. All surface water in the area ultimately discharges to the Black River.

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

No

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.

None

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

No

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.

No

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 such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water runoff (including stormwater):

- 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.

No impervious surfaces to be constructed, no runoff expected, any piles of excavated dirt will be covered to control stormwater runoff and run-on.

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

No, the project is being implemented to remove waste from the ground.

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

Any stockpiles of excavated dirt (temporary) will be covered to control stormwater run-on and run-off..

4. **Plants**

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

√ deciduous tree: alder, maple, aspen, other

√ evergreen tree: fir, cedar, pine, other

√ shrubs

√ grass

_____ pasture

_____ crop or grain

_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

_____ water plants: water lily, eelgrass, milfoil, other

√ other types of vegetation; Himalayan blackberry

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

Approximately 1 acre, of the type noted above

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

None

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

None

5. Animals

a. Circle 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, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: scat from deer has been observed

fish: bass, salmon, trout, herring, shellfish, other:

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

None

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

None known

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

None

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? Describe whether it will be used for heating, manufacturing, etc.

None

- 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:

None

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.

The project is being implemented to remove soil that is above MTCA standards.

- 1) Describe special emergency services that might be required.

All work will be completed under appropriate oversight and follow the project Health and Safety Plan

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

Follow the Health and Safety Plan , include a contingency plan if unexpected conditions are encountered

b. Noise

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

Limited traffic in the area and on Bordeaux Rd, firing ranges exist within hearing range, none expected to impact this 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 (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Equipment will operate on site (loader, excavator, trucks), hours of operation expected between 6:30 and 7 pm.

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

Verify that equipment is maintained with required mufflers, no other measures are feasible

8. Land and shoreline use

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

Residential and forest

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

No

c. Describe any structures on the site.

None in the area for the planned action

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

No

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

Residential

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

Residential

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

Not applicable

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

A wetland is located on the NW corner of the property and steep slopes exist in limited areas. These locations will not be impacted by any actions taken on the site (none near the wetland or steep slopes).

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

None

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

None

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

Not applicable

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

Not applicable

9. Housing

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

Not applicable

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

Not applicable

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

Not applicable

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas;

Not applicable

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

Not applicable

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

Not applicable

11. Light and glare

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

Not applicable

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

Not applicable

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

Not applicable

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

Not applicable

12. Recreation

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

Not applicable

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

Not applicable

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

Not applicable

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.

None

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

None

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

Not applicable

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.
Bordeaux Rd, Halo Kuntux road connects to it
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No
- c. How many parking spaces would the completed project have? How many would the project eliminate?
Not applicable
- 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.
None in the completed project (no development is planned), in construction 10 -50 trucks per day would leave the site, private vehicles may be up to 10.
- g. Proposed measures to reduce or control transportation impacts, if any:
None

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.
Not applicable

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.

None

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: *Tom McKeon*.....

Date Submitted: 21 December 2009

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed action is not likely to likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; it is being implemented to prevent the elements noted above. Some noise will be generated by equipment.

Proposed measures to avoid or reduce such increases are:

Equipment will only be operated within certain typical work hours

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No impacts expected.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?

No impacts expected.

Proposed measures to protect or conserve energy and natural resources are:

None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No impacts expected.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

No impacts expected.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No impacts expected.

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts with local, state, or federal laws or requirements for the protection of the environment are expected.