

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

DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of proposal: The primary goal of the project at Harvard Road is isolation of the contaminants. A 1-foot thick sand and gravel cover will be constructed over approximately 0.5 acres of shoreline area along the north bank of the Spokane River. The riverward portion of the shoreline will be capped using a mix of natural riverine sands and gravels. The upper portion of the shoreline will be excavated to a depth of 1-foot, with material replacement to the original grade. The size distribution specification for the material used for capping and backfill has been developed in cooperation with staff from WDFW to be suitable for trout spawning.

In addition to the primary remedial work to isolate the contaminants, Ecology will install vehicle access control features (rocks, fencing) to protect the cleaned up spawning beds. A new gravel boat launch area will also be constructed at the site.

Proponent: WA State Department of Ecology

Location of proposal, including street address, if any: The site covers less than one acre and lies along the northern bank of the Spokane River in Spokane County, Washington. It is nearly 3 miles west of the Idaho state line and immediately west of the Harvard Road Bridge.

Lead agency: WA 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 May 30, 2008.

Responsible official: Michael A. Hibbler

Position/title: Toxics Cleanup Program/Section Manager Phone: 509/329-3568

Address: 4601 North Monroe, Spokane, WA 99205-1295

Date: April 30, 2008

Signature



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 non-project proposals:

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

For non-project 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:
Spokane River Metals Remediation Project – Harvard Road North
2. Name of applicant: Washington Department of Ecology
3. Address and phone number of applicant and contact person:
Zach Hedgpeth, P.E.
Washington Department of Ecology
Toxics Cleanup Program
4601 North Monroe
Spokane, WA 99205
509/329-3484

4. Date checklist prepared: April 14, 2008
5. Agency requesting checklist: Washington Department of Ecology
6. Proposed timing or schedule (including phasing, if applicable):
Construction planned for summer 2008. Approximately 1 month in duration.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Record of Decision – The Bunker Hill Mining and Metallurgical Complex, Operable Unit 3. U.S. Environmental Protection Agency, September 2002. Overall cleanup decision document governing all nine Spokane River shoreline sites.

Sampling and Testing Report – Harvard Road Shoreline Area, Washington Department of Ecology, May 2006. Surface soil metals sampling results for original Ecology sampling September 2005.

Sampling and Testing Report, Addendum – Harvard Road Shoreline Area, Washington Department of Ecology, January 2007. Surface soil metals sampling results for follow-up Ecology sampling December 2006.

Remedial Design Work Plan, Spokane River Metals Sites: Island Complex, Murray Road, and Harvard Road North, Ridolfi, Inc. and Washington Department of Ecology, December 2006. General remedial project information for the sites listed, including basic site information (location, usage, ownership, setting, background), project organization, remedial objectives, design process and deliverables, proposed project schedules, and applicable or relevant and appropriate requirements (ARARs).

Remedial Design Work Plan, Amendment 1 – Spokane River Metals Sites: Barker Road North and South, Ridolfi, Inc. and Washington Department of Ecology, January 2008. General remedial project information for the sites listed, including basic site information (location, usage, ownership, setting, background), project organization, remedial objectives, design process and deliverables, proposed project schedules, and applicable or relevant and appropriate requirements (ARARs).

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.

Joint Aquatic Resources Permit application (JARPA) was submitted in early 2008 to the U.S. Army Corps of Engineers (USACE) for permitting under the Nationwide 38 permit program.

Substantive requirements project review process under the Model Toxics Control Act regulation (Chapter 173-340 WAC) has been conducted with the appropriate state and local agencies to ensure substantive compliance with applicable state and local regulations. Agencies consulted include Washington Department of Fish & Wildlife (WDFW), Washington Department of Ecology (Shorelands Program) and Spokane County (Shorelands and Environmental Programs).

Compliance with cultural resources protection laws, regulations, and policies as determined by the appropriate agency or organization. This includes correspondence with Washington State Department of Historic Preservation (DAHP), the Spokane Tribe of Indians and the Coeur d'Alene Tribe of Indians.

Property access agreements as appropriate, including with the Washington State Department of Parks & Recreation (State Parks) and Washington Department of Natural Resources (DNR).

10. List any government approvals or permits that will be needed for your proposal, if known.
The only formal permit required for this project will be the Nationwide 38 issued by the USACE.
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.)

Project Description – The primary goal of the project at Harvard Road is isolation of the contaminants. A 1-foot thick sand and gravel cover will be constructed over approximately 0.5 acres of shoreline area along the north bank of the Spokane River. The riverward portion of the shoreline will be capped using a mix of natural riverine sands and gravels. The upper portion of the shoreline will be excavated to a depth of 1-foot, with material replacement to the original grade. The size distribution specification for the material used for capping and backfill has been developed in cooperation with staff from WDFW to be suitable for trout spawning.

Significant existing vegetation within the project area includes three large ponderosa pine trees near the ordinary high water line. Ecology shoreline habitat specialists have been consulted regarding engineering design and construction methods to ensure that construction of the remedial action does not harm these trees. In addition to the primary remedial work to isolate the contaminants, Ecology will install vehicle access control features (rocks, fencing) to protect the cleaned up spawning beds. A new gravel boat launch area will also be constructed at the site.

Approximate Project Area : <1 acre

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.

See Attachments A and B for vicinity and topographic maps of the site.

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

- b. What is the steepest slope on the site (approximate percent slope)?
Approximately 5-10% on riverbank.

- 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 gravels

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
No.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed.
Indicate source of fill.
All fill materials will be natural sands and gravels. The purpose of the fill materials is to isolate and contain the native shoreline soils and sediments containing high levels of heavy metals. Local sources for all fill material will be used. The approximate total quantity of fill will be 1,200 cubic yards. Net fill quantity will be about 500 cubic yards since approximately 700 cubic yards of contaminated material will be excavated and removed from the site.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
The project does not involve significant clearing or permanent building construction. Care has been taken during design development and will be taken during construction to minimize disturbance to existing vegetation at each project location. In all cases where material is being moved (whether from excavation or cover construction) care will be taken to implement appropriate erosion control measures.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
0%

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Long term erosion control and isolation of existing shoreline soils is one of the project goals. Construction erosion best management practices will be employed as appropriate for erosion control.

2. 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.
Dust from truck and vehicle traffic and internal combustion engine emissions from equipment and vehicle operation.
- b. Are there any off-site sources of emissions or odor 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:
Watering of roadways and other areas as appropriate to minimize dust emissions.

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.
Spokane 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.
Yes. See project description provided above under section A, item 11. All capping work will occur within 200 feet of the Spokane River shoreline. The work will occur during low water and equipment will not operate in the water.
- 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.
No, wetlands are located within the project area. Fill materials will be placed for capping. Estimated volume of fill is included above.
- 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.
Yes. See attachment A for project location and site plan.

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.

Stormwater only – natural, vegetated, and gravel surfaces as currently found onsite.

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

Stormwater BMPs (i.e. silt fencing) will be implemented as appropriate.

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

Same.

4. **Plants**

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

_____ deciduous tree: alder, maple, aspen, other

X_____ evergreen tree: fir, cedar, pine, other

X_____ shrubs

X_____ 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

- b. What kind and amount of vegetation will be removed or altered?
No vegetation removal is planned as part of the remedial work. A small amount of seasonal grasses will be covered by gravel due to construction of the new boat launch area.

- c. List threatened or endangered species known to be on or near the site.
A biological evaluation was performed for the area by the U.S. Army Corps of Engineers in 2005 as part of a remediation at the Starr Road project. Starr Road is located approximately 2 miles upstream of Harvard Road. This evaluation determined that the project would have no effect on the following species that may exist within the vicinity of the project site:

Grizzly Bear (*Ursus arctos horribillis*) – Threatened
Gray Wolf (*Canus lupus*) – Endangered
Canada Lynx (*Lynx Canadensis*) – Threatened
Bald Eagle (*Haliaeetus leucocephalus*) – Threatened
Water Howellia (*Howellia aquatilis*) – Threatened
Ute ladies’-tresses (*Spiranthes diluvialis*) - Threatened

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
The areas slated to undergo remediation do not contain significant plant life. Ecology’s approach in conducting the remedial action at Harvard Road will be to practice avoidance of any existing native vegetation along the shoreline – notably 3 mature ponderosa pines near the ordinary high water mark. No new vegetation or plantings are included in the remedial design.

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

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

See above.

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

Unknown.

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

All fill materials will be composed of native riverine sands and gravels whose size distribution has been specifically tailored to produce materials suitable for trout spawning habitat. The precise elevations and placement techniques have been developed and refined in consultation with staff from the Washington Dept of Fish and Wildlife with fish spawning habitat as a primary concern.

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.
Diesel, gasoline and electricity for onsite construction equipment.
- 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.
Potential exposure of workers to heavy metals (lead, arsenic) in surface soils. Contractor will be required to be HAZWOPER trained and to develop a construction Health and Safety Plan prior to beginning work. Contractor will be required to develop appropriate spill prevention and preparedness measures prior to construction.
 - 1) Describe special emergency services that might be required.
None
 - 2) Proposed measures to reduce or control environmental health hazards, if any:
Measures to avoid ingestion of onsite soils. Watering or other dust suppression as necessary to minimize wind-blown dust.
- b. **Noise**
 - 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Existing traffic noise at most sites.
 - 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.
Construction equipment noise on a short term basis (approximately 1 month) during daylight hours. It is anticipated that construction will occur 8-10 hours per day 5-6 days per week .
 - 3) Proposed measures to reduce or control noise impacts, if any:

None other than short project duration and hours of operation.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Publicly owned natural shoreline area.
- b. Has the site been used for agriculture? If so, describe.
No.
- c. Describe any structures on the site.
None.
- d. Will any structures be demolished? If so, what?
No.
- e. What is the current zoning classification of the site?
Rural Conservation and/or Urban Reserve
- f. What is the current comprehensive plan designation of the site?
Rural Pastoral and/or Conservancy
- g. If applicable, what is the current shoreline master program designation of the site?
Rural Pastoral and/or Conservancy
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Unknown.
- i. Approximately how many people would reside or work in the completed project?
None. Site is for public recreational use.
- j. Approximately how many people would the completed project displace?
None.
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
The purpose of the project is to protect human health and the environment by isolating contaminated shoreline sediments. The resulting impact of the project work will be to enhance the recreational value of this public open space.

9. Housing

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

None.

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

None.

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

None.

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 structures will be built.

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

None.

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

None.

11. Light and glare

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

None.

- 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:

None.

12. Recreation

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

The project location is a public open space located along the shoreline of the Spokane River. The site is currently used by the public for many forms of outdoor recreation, including hiking, swimming, fishing, boat launch, etc.

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

No. However, the project will relocate boat launch activities to a new gravel launch area. The area currently used to launch boats and other float craft is a trout spawning area. As part of the

project, the trout spawning beds will be isolated from unauthorized vehicle traffic in order to protect them from the damage caused by motor vehicles.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
During construction, the site will be closed to all users for safety reasons. The work will be visible from portions of the Centennial Trail as well as Harvard Road, which crosses the Spokane River just upstream of the project site. The long-term impact of all projects will be enhancement of recreational use at these locations.

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.

A Cultural Resource Survey of the Harvard Road site was performed during the fall of 2006 by independent, professional archaeological contractors. [Toxics Cleanup Program – Spokane River Metals Sites Project Cultural Resource Survey Spokane County, Washington, Plateau Archaeological Investigations, LLC, January 2007].

The survey did not identify any cultural resources within the proposed remediation area, but recommended that archaeological monitoring be conducted during excavation activities. Accordingly, Ecology plans to contract with a professional archaeological services firm to monitor excavation during the project. Additionally, a cultural resource monitoring plan and inadvertent resource discovery protocol has been developed to guide the response process in the event that cultural resources are discovered during construction.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
See above mentioned Cultural Resource Survey for detailed data. Survey results indicate that this series of cleanup projects can be carried forward in a manner that will minimize impacts to cultural resources through a combination of avoidance and monitoring where appropriate.
- c. Proposed measures to reduce or control impacts, if any:
Avoidance and monitoring – see above.

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.
Planned access to the Harvard Road site will be via the State Parks access road, Harvard Road, and Interstate 90.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No. Distance to nearest public transit unknown.

- 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. Some limited improvement to the existing gravel surface parking area will be included.
- 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.
- 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.
None.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
None.
- 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 – all project utility needs will be temporary.

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:

Date Submitted:

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?

Proposed measures to avoid or reduce such increases are:

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

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

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

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

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?

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

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?

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

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

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

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

Attachment A - Harvard Road Vicinity Map



Washington

Idaho

Spokane

Millwood

Harvard Road

Liberty Lake

Spokane Valley

0 1 2 3 4 Miles

Attachment B - Harvard Road Site & Topographic Map

