



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 30, 2014

Lisa Wood, SEPA/NEPA Coordinator
WA State Department of Fish & Wildlife
Regulatory Services Section
600 Capitol Way North
Olympia, WA 98501-1091

Dear Ms. Wood:

Thank you for the opportunity to comment on the determination of nonsignificance for the Black Lake Access Improvements project (DNS No. 14-026) located on Fairview Street Southwest near Tumwater as proposed by Chris Gourley, WA State Department of Fish & Wildlife (WDFW). The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

**SHORELANDS & ENVIRONMENTAL ASSISTANCE:
Alex Callender (360) 407-6167**

The project must be consistent with the Shoreline Management Act and the local Shoreline Master Program.

In water work is proposed, we would like to make sure that the silt curtain is properly installed before work begins to ensure that there is no discharge into waters of the state. Please make sure to send a Joint Aquatic Resource Permit Application (JARPA) with site plans and other pertinent materials to the following:

U.S. Army Corps of Engineers
Attn: Darren Habel
PO Box 3755
Seattle, WA 98124-3755

Department of Ecology
Federal Permit Coordinator
PO Box 47775
Olympia, WA 98504-7775

TOXICS CLEANUP: Thomas Middleton (360) 407-7263

If contamination is suspected, discovered, or occurs during the proposed access improvements, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Thomas Middleton with the SWRO, Toxic Cleanup Program at the phone number given above.

SEPA REVIEWER: Sonia Mendoza

WATER QUALITY CONTACT: Deborah Cornett (360) 407-7269

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or stormdrains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Proper disposal of construction debris must be on land in such a manner that debris cannot enter water of the state (e.g., Black Lake) and stormdrains draining to waters of the state or cause water quality degradation of state waters.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM:14-1912)

cc: Alex Callender, SEA
Deborah Cornett, WQ
Thomas Middleton, TCP
Chris Gourley, WDFW (Applicant)