



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Southwest Region Office
PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

June 9, 2023

Judy Surber, Planning Manager
City of Port Townsend
Development Services Department
250 Madison Street
Port Townsend, WA 98368

Dear Judy Surber:

Thank you for the opportunity to comment on the optional determination of nonsignificance/notice of application for the Northwest Maritime Center Repairs Project (LUP23-024) located at 431 Water Street as proposed by Northwest Maritime Center. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SHORELANDS & ENVIRONMENTAL ASSISTANCE: Luke Cencula, (564) 669-3636

Thank you for the providing the Department of Ecology the opportunity to review the proposed beach access repair and revetment work proposal.

A shoreline permit(s) will be required if the proposed project is located within 200 feet of the ordinary high water mark. The proposed project must be consistent with applicable goals, policies, and use regulations of the Shoreline Management Act (RCW 90.58) and the City of Port Townsend Shoreline Master Program. The proposed project must be consistent with applicable goals, policies, and use regulations of the Shoreline Management Act (RCW 90.58) and the shoreline master program, including 9.7 Shoreline Stabilization & Flood Protection Works and 9.3 Alteration of Natural Landscape Clearing, Grading, and Vegetation Removal.

For questions or technical assistance, contact Shoreline Compliance Specialist Luke Cencula at luke.cencula@ecy.wa.gov or 564-669-3636.

SOLID WASTE MANAGEMENT: Derek Rockett (360) 407-6287

All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from your local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department or Department of Ecology for proper management of these materials.

TOXICS CLEANUP: Dean Malte (360) 999-9584

One cleanup site, Texaco Bulk Plant Thomas Oil Site (CSID 2291), is located at the project address. A cleanup action was conducted and the site status was designated by Ecology as no-further-action in 2004. Two other cleanup sites (Powell Drug Lab, CSID 1122, and Former Dry Cleaner Port Townsend Gallery, CSID 15053) are located within approximately 750 feet of the project area, and both are listed with a no-further-action status. Based on the available information and site status, these sites do not appear to present a specific concern for the project area. However, proximity of the work area to the Texaco Bulk Plant site presents a potential concern for areas of residual contamination to be encountered. Ecology recommends including contaminated media management as part of the project plans. If any contamination is unexpectedly encountered, please report it to Ecology (per WAC 173-340-300) via the online ERTS at <https://ecology.wa.gov/Footer/Report-an-environmental-issue/statewide-issue-reporting-form>.

**WATER QUALITY/WATERSHED RESOURCES UNIT:
Joseph McCord (360) 791-5017**

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.

Construction Stormwater General Permit:

The following construction activities require coverage under the Construction Stormwater General Permit:

1. Clearing, grading and/or excavation that results in the disturbance of one or more acres **and** discharges stormwater to surface waters of the State; and
2. Clearing, grading and/or excavation on sites smaller than one acre that are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb one acre or more **and** discharge stormwater to surface waters of the State.
 - a) This includes forest practices (including, but not limited to, class IV conversions) that are part of a construction activity that will result in the disturbance of one or more acres, **and** discharge to surface waters of the State; and
3. Any size construction activity discharging stormwater to waters of the State that Ecology:
 - a) Determines to be a significant contributor of pollutants to waters of the State of Washington.
 - b) Reasonably expects to cause a violation of any water quality standard.

If there are known soil/ground water contaminants present on-site, additional information (including, but not limited to: temporary erosion and sediment control plans; stormwater pollution prevention plan; list of known contaminants with concentrations and depths

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found; a site map depicting the sample location(s); and additional studies/reports regarding contaminant(s)) will be required to be submitted. For additional information on contaminated construction sites, please contact Evan Wood at evan.wood@ecy.wa.gov, or by phone at (360) 706-4599.

Additionally, sites that discharge to segments of waterbodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorous, or to waterbodies covered by a TMDL may need to meet additional sampling and record keeping requirements. See condition S8 of the Construction Stormwater General Permit for a description of these requirements. To see if your site discharges to a TMDL or 303(d)-listed waterbody, use Ecology's Water Quality Atlas at: <https://fortress.wa.gov/ecy/waterqualityatlas/StartPage.aspx>.

The applicant may apply online or obtain an application from Ecology's website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/-Application>. Construction site operators must apply for a permit at least 60 days prior to discharging stormwater from construction activities and must submit it on or before the date of the first public notice.

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

(JKT:202302137)

cc: Luke Cencula, SEA
Derek Rockett, SWM
Dean Malte, TCP
Joseph McCord, WQ