CITY OF DUPONT

Department of Community Development
1700 Civic Drive, DuPont, WA 98327
Telephone: (253) 964-8121
www.dupontwa.gov

April 30, 2024

Sent via email only to: coleb@spsseg.org

Cole Baldino – Salmon Habitat Project Manager
South Puget Sound Salmon Enhancement Group
6700 Martin Way E, Suite 112
Olympia, WA 98516

Project: Sequalitchew Creek Restoration Plan
Subject: Request for Information
File No.: PLNG2023-007 and -008

Dear Mr. Baldino:

The City has reviewed the application materials submitted for the above referenced project. These include the following:

1. The following were submitted June 20, 2023:
    a. Critical Areas Application Package prepared by SPSSEG dated June 21, 2023 that included the following within the document:
        i. Critical Areas Report prepared by Anchor QEA dated April 2023.
        ii. JARPA Permit Application prepared by SPSSEG dated April 11, 2023.
        iii. Tree Assessment prepared by Anchor QEA dated March 6, 2023.
        iv. Cultural Resources Assessment prepared by Aqua Terra dated November 17, 2022.
        v. SEPA Checklist prepared by SPSSEG dated December 31, 2022, signed June 21, 2023.
    b. Preliminary Basis of Design Report prepared by Anchor QEA dated April 2023 that included the following within the document:
        i. Wetland Delineation report prepared by Anchor QEA dated August 2022.
        ii. Earth and Water Resources Report prepared by Aspect dated November 11, 2022.
        iii. 60% Design Plans prepared by Anchor QEA dated February 2023.
        iv. Geotechnical Report prepared by Anchor QEA dated November 2022.
        v. Pedestrian Bridges Basis of Design prepared by KPFF dated January 2023.

2. The following additional materials were submitted October 10, 2023:
    a. A completed permit application form October 10, 2023.
    b. Signed affidavit authorizing applicant to act as agent on behalf of the owners (City of DuPont) dated May 11, 2023.

c. Response letter/exception request (not dated) prepared by Anchor QAE with supplemental Summary of Cumulative Effects of DuPont Mining and Restoration Projects on Aquatic Habitat, Surface Water and Groundwater Memo prepared by Aspect Consulting dated November 29, 2016.

d. Cultural Resources Report prepared by Aqua Terra dated November 17, 2022.

e. Tree Assessment Report prepared by Washington Forestry Consultants Inc. dated March 6, 2023.

3. The following additional materials were submitted January 5, 2024:

   a. 60% Design Plans prepared by Anchor QEA dated February 2023.

   b. SEPA Checklist prepared by SPSSEG dated December 31, 2022, unsigned.

The City has the following comments and requests for additional information needed to complete the review process. Additional information that is needed is provided in **bold** text.

A. Planning Department Comments

The following additional information is required for the City to initiate its review process. The project is on hold pending receipt of the additional information.

1. Critical Areas Report. The Critical Areas Report and Restoration Plan were sent out for peer review by Grette Associates. A copy of Grette's peer review memorandum is attached. Grette's review found that the report is largely compliant with the applicable requirements in DMC Chapter 25.105. While the report states that monitoring of the proposed project will be completed according to the Sequalitchew Creek Watershed Ecosystem Restoration Plan, no specific monitoring details were provided.

   Revise the report to include a five-year maintenance and monitoring plan.

2. SEPA Comments. The City received numerous comments during the public notice period. We have provided a copy of the public comments received on the application.

   Provide a response to each of the public comments.

3. SEPA Checklist. We have the following comments on the SEPA checklist submitted on January 5, 2024. **Revise the SEPA checklist to include the additional detail required below**:

   a. Section A.6 asks if the project will be phased. Amend this section to include the phasing plan.

   b. Section A.8 add report author and date to each submittal item.

   c. Section A.10 requires correction. Add Site Plan Review and Critical Areas Exception as required government approvals from the City of DuPont.

   d. Section A.11 requires additional information. The total stream miles and acreages are currently shown as "X". Update the project description to include the total stream miles and acreages.

      The project description is too brief to adequately understand the project components. Update the project description to include additional detail about the fish passage measures, including reference to the two new bridges, the culvert replacement and how the trail will be replaced in areas.

   e. Section A.12 provide a complete citation for the "Scope of Work" reference.

   f. Section B.1.a. Provide more detail in the response. The SEPA checklist guidance asks applicants to list the average soil profile to a depth of four feet. Include source of updated information.

g. Section B.1.d Provide a source for the conclusion that "there is no history of signs of unstable soil".

h. Section B.1.e. requires additional information. Provide quantities of grading, excavation or fill in cubic yard measures. Location information should either be more completely described and/or the reference to the "… Losing Reach project found in the plan set," should be updated with correct citation (e.g., …"specific locations to be filled on the project site are presented in Drawing No. C09 and C10 of the 60% Design for Sequalitchew Creek Watershed Ecosystem Restoration (Anchor QEA, February 2023") and briefly described (e.g., excavation is limited to footing removal of pedestrian bridges cites for demolition and is estimated to be approximately XX cubic yards).

i. Section 1.f requires additional information. Erosion risk from construction and mitigation efforts are included in the Preliminary Basis of Design Report (Anchor QEA, April 2023). See SEPA Checklist guidance for level of detail needed.

j. Section 1.g. More information is needed. Impervious surfaces include paved paths and bridges. See checklist guidance.

k. Section 2.a-c. Updated responses in this section. Review the SEPA checklist guidance to include emissions from heavy equipment if applicable.

l. Section B.3.a.(1) requires additional information. Provide the type of wetland for Edmonds Marsh and stream for Sequalitchew Creek and include if they are year-round or seasonal. Identify any water quality issues and describe any water-based invasive species in the area.

m. Section B.3.a.(2) Provide a complete citation for the "Scope of Work" reference. Include discussion of the removal or placement of in-water structures and describe how the material has been checked for invasive species and how any invasive species will be removed and disposed of properly.

n. Section B.3.a.(3) requires additional information. Provide a brief summary of the work so that they public can understand the proposal without looking at the plans. Include "anywhere from 1,0000 to 8,000 CY of fill will be placed in the Losing Reach (Design page #), add the design page and document citation.

o. Section B.3.b The proposal will affect drainage patterns in Sequalitchew Creek system as described in the project documents. Add more detail description.

p. Section B.4.b provide a complete citation for "Arborist Report".

q. Section B.4.d asks for information about proposed landscaping. The Restoration Plan includes a planting schedule. Describe the plantings proposed as part of the Restoration Plan.

r. Section B.5 provide source information for the responses in sections a through e.

s. Section B.6.a Update response to include energy resources for construction, per SEPA guidelines.

t. Section B.7 requires additional information. Much of DuPont has been contaminated with arsenic and lead due to the Tacoma Smelter Plume (and other industrial type of activies) and some of the project area was part of the former DuPont Powder Works Plant. A copy of Ecology's predictive model for contamination is located at this link: https://apps.ecology.wa.gov/dirtalert/?lat=47.119728&lon=-122.516823&zoom=12

Update Section B.7.a.(1) to report on the Ecology Tacoma Smelter Plume Map predictive levels for contamination. If the site is reported to be above required MTCA cleanup levels, explain how the proposal will evaluate the soils prior to initiating the work and how the contaminated soils will be handled safely during site work in Section B.7.a.(5). Describe

spill response plan for heavy equipment operation during construction (potential for fuel or hydraulic spills).

u. Section B.7.b.(2) asks about construction noise that may be generated by the proposal. We assume some heavy equipment will be needed that will generate noise. Update this section to address anticipated construction noise.

v. Section B.8.a Describe past and future foreseeable land uses affected by the proposal, see SEPA guidance.

w. Section B.8.c add description of bridges and culverts.

x. Section B.8.d. add description of planned demolition of bridges and culverts.

y. Section B.8.g Add discussion of shoreline area where Sequalitchew Creek meets the Puget Sound.

z. Section B.8.h describes that the area is designated as a critical area by Pierce County. Correct this section to replace Pierce County with the City of DuPont. Reference Critical Areas Report (Anchor QEA, April 2023) and provide a summary of report findings.

aa. Section B.8.l Provide a complete response. See SEPA Checklist guidance.

bb. Section B.10.a asks for the height of any proposes structures and their principal building materials. The response states that no structures will be built, however two new bridges are proposed. Correct the response to this section to describe the height and materials of all proposed structures.

cc. Section B.12 Add discussion of anticipated disruption to public access of walk trails during project construction. Describe anticipated changes, if any, to shoreline access along Sequalitchew Creek Trail.

dd. Section B.13 pertains to historic and cultural preservation that is missing important information. You submitted a Cultural Resources Assessment (CRA) prepared by Aqua Terra dated Nov. 17, 2022 that included literature review as well as shovel probe testing. Correct this section to include the findings within the CRA in Section 13, including the recommended mitigation measures provided in their Recommendations section.

ee. Section B.14.a asks about improvements to existing transportation and pedestrian facilities. Provide details about the proposed improvements to the bridges and trails in the project area.

ff. Section B.14.e The question is in regards to water transportation, project documents do not suggest water transportation is part of this project.

gg. Section C of the checklist is unsigned. Sign and date the SEPA checklist.

hh. Section D of the SEPA Checklist is not required as the proposal is not a "nonproject action". Delete Section D from the SEPA checklist.

4. <u>Tree Comments</u>

a. We have reviewed the Tree Assessment Report prepared by WFCI dated March 6, 2023. **Amend the WFCI Tree Assessment to include a discussion on removal of landmark trees, which are protected by DMC 25.120.** It appears as though no landmark Oregon white oak trees will be removed with the proposal, make sure the report clearly states that.

b. DMC 25.120(4) allows trees retained in the oak management mapping units to be counted toward the total trees per acre requirement set forth in DMC 25.120.030(3). DMC 25.120.040 provides specific regulations for each of the mapping unit areas and how they are to be protected. **Amend the WFCI Tree Assessment to include an evaluation of**

whether any trees to be removed are located within the oak management mapping units. A copy of the City's Oak Woodland Management Zone map is enclosed.

We look forward to receiving your resubmission and continuing review of the application. If you have any questions, please contact me at 253-912-5393.

Sincerely,

Barb Kincaid, AICP
Director of Public Services
City of DuPont

Enclosure: Grette Associates letter dated April 26, 2024
Landau Associates letter dated April 30, 2024
City of DuPont Oak Woodland Management Zone map
Public Comment Letters (compiled)

Cc: File No. PLNG2023-007
Lisa Klein, AHBL, Inc. (representing the City of DuPont)

TECHNICAL MEMORANDUM

Prepared for: Lisa Klein, Associate Principal
AHBL, Inc.
2215 North 30th Street, Suite 300
Tacoma, WA 98403

April 26, 2024

File No.: 3349-002

Prepared by: Grette Associates, *a division of Farallon Consulting L.L.C.*
2709 Jahn Ave. NW, Ste. H5
Gig Harbor, WA 98335-7999

Re: Sequalitchew Creek Restoration Plan: Third-Party Review

1 INTRODUCTION

AHBL, Inc. has contracted with Grette Associates, a division of Farallon Consulting L.L.C, to assist in the review of the Critical Areas Report (dated April 2023) that was prepared by Anchor QEA in support of the Puget Sound Salmon Enhancement Group's (SPSSEG) Sequalitchew Creek Restoration Project that was submitted to the City of DuPont.

According to the report, the proposed project will implement elements of the Sequalitchew Creek Watershed Ecosystem Restoration Plan (SPSSEG 2018). This proposed project consists of four primary elements: beaver management within Edmond Marsh, installation of a trail bridge, and instream improvements to enhance fish habitat and access. Please refer to the report for more project details.

2 REVIEW METHODS

2.1 Site Visit

Grette Associates completed a site visit on April 23, 2024 to assess the project sites and all accessible adjacent areas for consistency with the information contained in the report.

2.2 Document Review

A Grette Associates Professional Wetland Scientist conducted a thorough review of the report submitted to the City. The review focused on verifying the accuracy of the descriptions within the report and compliance with the current version of Chapter 25.105 of DuPont Municipal Code (DMC).

3 REVIEW RESULTS

3.1 Site Visit Review

The report accurately identifies and sufficiently addresses all critical areas (wetlands and fish and wildlife habitat conservation areas) within the proposed project sites for compliance with Chapter 25.015 of the DMC. These critical area features include Wetland 1-D, Edmond Marsh, and

Sequalitchew Creek. Wetland 1-D and Edmond Marsh are accurately classified as Category II wetlands, per DMC 25.105.050. Sequalitchew Creek is classified as a fish and wildlife habitat conservation area (FWHCA), per DMC 25.105.050. The report also provides a detailed analysis of the habitats and functions the stream provides.

3.2 Document Review

3.2.1 Wetlands

Per DMC 25.105.050(1)(c), allowed activities within a wetland or its buffer include, but are not limited to, restoration activities that contribute to the enhancement, rehabilitation, or restoration of DuPont's wetland complexes. Any proposed restoration action shall be accomplished according to a plan, approved by the director, that includes sufficient design, construction, and monitoring details (DMC 25.105.050).

The report provides design information and project sheets to show detailed design elements and how the proposed project will be constructed. The report also includes a summary of mitigation measures that includes a description of a robust monitoring and adaptive management program to be implemented until project goals are met, as defined in the Sequalitchew Creek Watershed Ecosystem Restoration Plan. Based on the information reviewed by Grette Associates, the Sequalitchew Creek Watershed Ecosystem Restoration Plan includes construction monitoring, along with a very detailed monitoring program that includes efforts to monitor stream flows, wetland hydrology, and habitat conditions.

In addition to reviewing the required plan elements stated above, Grette Associates evaluated the project and impact analysis summarized in the report to determine if those proposed activities will contribute to improved wetland functions. Based on the information provided in the report, the proposed project will remove approximately 5,000 square feet of gravel fill to breach the existing trail berm to restore hydrologic connection between the east and west portions of the Edmond Marsh. Once complete, a new Robson Trail bridge will be constructed to reconnect the two trail segments.

The proposed project also includes actions to support beaver management. The proposed management consists of notching a beaver dam to improve hydrology gradients within the Edmond Marsh. This will result in some temporary construction impact and some removal of wood debris from the dam.

Overall, the proposed project will reestablish wetland conditions within approximately 3,860 square feet of the Edmond Marsh and will improve wetland functions. Grette Associates concurs with the determinations summarized in the report.

3.2.2 Fish and Wildlife Habitat Conservation Areas

Proposed stream alterations are required to demonstrate that a proposed action(s) follows a series of requirements outlined in DMC 25.105.050(2)(a). The report has sufficiently demonstrated how the project meets all applicable requirements defined in said section of the DMC. These requirements include, but are not limited to, demonstrating that only native vegetation will be used, the proposal meets the City's stream crossing standards, and the proposal will not adversely affect stream flows.

Per DMC 25.105.050(2)(a), one primary requirement for any proposed stream alteration is to achieve no net loss of function. The report provides a detailed summary of the existing conditions

within the stream as well as hydrology and describes how conditions have degraded historical function the stream and Edmonds Marsh provided. Grette Associates concurs with the reports conclusion that the restoration efforts will change conditions along the margins of Edmonds March; however, these changes will ultimately provide greater habitat complexity and will restore stream and wetland hydrology to function more naturally. Overall, Grette Associates concurs with the report's determination that the proposed project will not result in a net loss of existing stream function.

In addition, Per DMC 25.105.050(2)(b), stream restoration activities shall be accomplished according to a plan, approved by the director, that includes sufficient design, construction, and monitoring details. As noted above, the report includes design information and project sheets to show detailed design elements and how the project will be constructed. The report also states that the project will implement a robust monitoring and adaptive management program, as defined in the Sequalitchew Creek Watershed Ecosystem Restoration Plan (SPSSEG 2018), until project goals are met.

3.3 Critical Area Permit Criteria

Any proposed project that is subject to critical areas review shall compile and adequately demonstrate compliance with the requirements defined in DMC 25.105.080(4). These requirements include but are not limited to, demonstrating mitigation sequencing and use of best available science. The report provides sufficient responses to these requirements and includes mitigation sequencing section to demonstrate that all avoidance and minimization measures have been considered during the design and construction of the proposed project. The report also references numerous studies and surveys that have been completed in support of the overall restoration concept defined in the Sequalitchew Creek Watershed Ecosystem Restoration Plan.

4 SUMMARY

In closing, the report is largely compliant with the applicable requirements defined in Chapter 25.105 of the DMC. While the report states that monitoring of the proposed project will be completed according to the Sequalitchew Creek Watershed Ecosystem Restoration Plan, no specific monitoring details for the proposed actions were provided. As such, Grette Associates recommends that the report be revised to include a summary of the monitoring details that will be performed after the project is complete and that copies of the monitoring reports be submitted to the City for their records.

If you have any questions regarding this memorandum, please contact me at (253) 573-9300, or by email at chadw@gretteassociates.com.

Regards,

Chad Wallin, PWS
Biologist
GRETTE ASSOCIATES, *a division of Farallon Consulting L.L.C.*

References:

South Puget Sound Salmon Enhancement Group. 2018. Sequalitchew Creek Watershed Ecosystem Restoration Plan. Prepared for Environmental Caucus and CalPortland. March 8, 2018.

LANDAU ASSOCIATES

TECHNICAL MEMORANDUM

TO: Lisa Klein, AICP, AHBL, Inc.

FROM: Ben Lee, PE, CWRE

DATE: April 30, 2024

RE: Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan
DuPont, Washington
Landau Project No. 1260016.020

INTRODUCTION

This technical memorandum provides a summary of the results of a technical peer review performed by Landau Associates, Inc. (Landau) regarding the Sequalitchew Creek Restoration project (project) proposed by the South Puget Sound Salmon Enhancement Group (SPSSEG). Landau's review was focused on the hydrologic and hydrogeologic aspects of the project documents. The documents reviewed by Landau included the following:

- Land Use Application (SPSSEG, October 2023) and Notice of Complete Application (City of Dupont [City], November 2023)
- Critical Areas Report (Anchor QEA, April 2023) and Addendum (Anchor QEA, December 19, 2023)
- Preliminary Basis of Design Report (Anchor QEA, April 2023)
- Cumulative Effects Summary Report (Aspect Consulting LLC [Aspect], November 29, 2016)
- Project Design Plans – 60% Design (Anchor QEA, February 2023)
- Project State Environmental Policy Act (SEPA) Checklist (SPSSEG, January 3, 2024).

In addition, Landau has referred to select documents prepared in association with the proposed Pioneer Aggregates South Parcel Project, including the Earth and Water Resources (E&WR) Report (Aspect, May 18, 2023) and the *Sequalitchew Creek Watershed Restoration Plan* (prepared for CalPortland and Environmental Caucus, May 9, 2018) for overall project context and document consistency.

REVIEW SUMMARY

Landau's comments resulting from their peer review are primarily regarding the Preliminary Basis of Design Report (Anchor QEA, April 2023), the 60% Project Design Plans (Anchor QEA, February 2023), the Critical Areas Report (Anchor QEA, April 2023), and the Project SEPA Checklist (SPSSEG, January 2024). This section provides a basic overview of Landau's review. Detailed comments are included in Attachment 1. Within each comment matrix (one matrix per document), Landau has numbered the

comments, provided general or specific location reference, and noted the type of comment. Comment types were characterized with one or a combination of the following descriptions:

- Grammatical: regarding an apparent typographical error or discrepancy with other segments of the report or other documents
- Context: suggesting the addition of additional information to assist the reader understand the context of a particular item
- Design: identifying a portion of the project that may require additional consideration from a design or function standpoint.

Preliminary Basis of Design Report

While it is not stated explicitly, the purpose of the Preliminary Basis of Design Report (Anchor QEA, April 2023) appears to be to both provide a cursory level justification of project design elements and narrative context to accompany the 60% Project Design Plans.

Landau reviewed the Preliminary Basis of Design Report for overall coherence with respect to provision of adequate engineering justification for the proposed project elements and general consistency with other related project documentation. Specific comments regarding Landau's review of the Preliminary Basis of Design Report, which include a number of Grammatical, Context, and Design comments, are provided in Attachment 1-A.

60% Project Design Plans

Sixty percent design plans are typically intended to provide detailed, but still draft, construction specifications, cost estimates, sequencing, and detail drawings for all elements of the project.

Landau reviewed the 60% Project Design Plans for general consistency with the Preliminary Basis of Design Report (but not for detailed engineering quality control). Landau found the project design plans to be generally consistent with the basis of design report. Specific comments regarding Landau's review of the 60% Project Design Plans are provided in Attachment 1-B.

Critical Areas Report

The Critical Areas Report is intended to provide documentation of existing critical areas within the vicinity of the project, an evaluation of potential impacts to those critical areas due to project implementation, and a summary of mitigation strategies to address those impacts.

Landau reviewed the Critical Areas Report for general consistency with the Preliminary Basis of Design Report. Specific comments regarding Landau's review of the Critical Areas Report are provided in Attachment 1-C.

SEPA Checklist

The SEPA review process helps agency decision makers, applicants, the public, and other stakeholders understand how the proposed project will affect the environment. Environmental review starts with the

SEPA environmental checklist (Washington Administrative Code [WAC] 197-11-960). A SEPA environmental checklist was submitted to the City on June 21, 2023, for the Sequalitchew Creek Watershed Restoration Plan (Aspect 2018); the checklist was completed by SPSSEG. The checklist was resubmitted on January 3, 2024; the only apparent change to the resubmitted checklist is the removal of the applicant signature.

Landau reviewed the January 3, 2024, SEPA checklist and compared it to the SEPA checklist guidance. Several sections of the SEPA checklist are incomplete or inaccurate. Many questions are answered with "no" or "none" and without an explanation as to how the applicant arrived at this response or providing reference to appropriate studies or reports that were used to support the applicant's response. The applicant used a SEPA checklist form dated July 2016. The most recent SEPA checklist available from the Washington State Department of Ecology (Ecology) is dated September 2023. Specific comments regarding Landau's review of the SEPA checklist are outlined in Attachment 1-D.

LIMITATIONS

This peer review has been prepared for the exclusive use of AHBL and the City of DuPont for specific application to the Sequalitchew Creek Restoration project. No other party is entitled to rely on the information, conclusions, and recommendations included in this document without the express written consent of Landau. Landau's technical review of the project documentation does not constitute a detailed review, endorsement, or approval of any or all engineering calculations associated with the project. Landau's review has been completed from a high-level conceptual perspective, within the constraints of their authorized scope and budget. Further, the reuse of information, conclusions, and recommendations provided herein for extensions of the project or for any other project, without review and authorization by Landau, shall be at the user's sole risk. Landau warrants that within the limitations of scope, schedule, and budget, our services have been provided in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions as this project. We make no other warranty, either express or implied.

LANDAU ASSOCIATES, INC.

Ben Lee, PE, CWRE
Senior Associate
BDL/SAW/kee
[Y:\1260\0016.020\R\PEER REVIEW SUMMARY TM\SEQUALITCHEW CREEK RESTORATION_PEER REVIEW SUMMARY TM_LANDAU.DOCX]

Attachments:

Attachment 1-A:	Comments on Preliminary Basis of Design Report
Attachment 1-B:	Comments on 60% Design Plans
Attachment 1-C:	Comments on Critical Areas Report
Attachment 1-D:	Comments on SEPA Checklist

ATTACHMENT 1-A

Comments on Preliminary Basis of Design Report

Attachment 1-A: Comments on Preliminary Basis of Design Report
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
1	1. Introduction	1-3	--	Context	It is noted (in this report and highlighted in the Cultural Resources report) that the creek system – including the upper portions of the creek and the lower portions all the way down to the mouth of the creek – has been greatly modified by human activity. The restoration plan is focused on the marsh and dry reach section of the creek. Suggest adding a statement in the introductory sections to the effect of the plan improvements will be worthwhile, even though they focus solely on the upper parts of the creek, because there remains some level of function in the lower portion. In other words, provide some assurance that the proposed restoration plan won't be for naught because of flow impediments downstream. Suggested idea for consideration: 'While the lower creek system has undergone impacts from human activity and experiences reduced function compared to its natural state (e.g., flow impediments and brackish conditions at the mouth of the creek to Puget Sound), the lower system retains some level of habitat function. The objective of the restoration plan is to restore habitat function in the upper portions of the creek and marsh system. It is thought that restoration of the upper portions of the creek and marsh system will provide the greatest benefit to the overall creek system.'	
2	3. Seq Creek Flows	8	Par. 1, Row 3	Context	Define "static gradient"	
3	3. Seq Creek Flows	9	--	Grammatical/ Context	Provide a reference for where the modeled dry reach flows come from (i.e., where is the modeling documented?). Are these numbers based on the Aspect wetland water balance of the Earth and Water Resources Report [E&WR Report, May 2023]? If so, please verify the predicted monthly average flows noted here (12.1 cfs overall average with 2.2 cfs for August, 25.5 cfs for March). Section 4.5.3.1 of the E&WR report indicates an anticipated average of 12.6 cfs in the dry reach, with 2.5 cfs in August to 25.7 cfs in March. Appendix F of the E&WR Report seems to predict August flows at 2.4 cfs and March flows as 23.6 cfs. Separately, the older 'Cumulative Effects Summary' report (Aspect 2016) cited anticipated August flows of 2.6 cfs and April flows of 23.1 cfs. Or consider explaining the discrepancy. If this is a discrepancy, does it have a material effect on the project design?	
4	. Prelim Design Alternative	11-16	--	Context	General comment and question: It seems that for each of the basic project elements (e.g., 4.1 Robison Trail, 4.2 Losing Reach, etc.), a number of options were assessed and one option was selected. The options evaluation summarized in this document seems high-level and conceptual. Was there a separate 'Alternative Options Screening' memo (or similar) that was completed to evaluate the options in more detail that could be referenced here? Or, can additional detail be provided here to give context for why certain elements were screened out?	
5	4.1 Robison Trail	11	Par. 2, third bullet	Grammatical	Bullet for "Remove the embankment, replace with a bridge" implies that the entire embankment would be removed and replaced with a long bridge. Suggested edit: "Remove a section of the embankment, replace with a bridge."	

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
6	4.1 Robison Trail	11	--	Design	The location of the bridge alternative is shown in App A to be “near the southern margin of the marsh to maximize bridge clearance above the anticipated surface water levels.” Shouldn’t consideration be given to the location of greatest flows through the marsh system? Or will the project involve channelizing/routing flows down through the southern portion of the marsh and beneath the proposed bridge? Suggest adding design plans for re-routing/channelizing the creek flow for this section OR indicating that re-routing of creek flow is not necessary.	
7	4.1 Robison Trail	12	Par 1	Grammatical	Near the end of the first full paragraph, there appears to be an errant “AI.” Suggest deleting.	
8	4.1 Robison Trail	12	--	Context/Design	Discussion is provided regarding max WLE at east end of East Edmonds Marsh and minimum WLE at the proposed bridge location. Suggested revisions: include discussion of minimum and maximum WLE at the proposed bridge location and also the elevation of the gravity sewer alignment. Will the sewer line remain unsubmerged at max WLE conditions? Section 5.1 (pg 17) notes that the sewer line will ‘above the anticipated range of potential water levels’ but detailed support for that in 4.1 would be helpful. Section 6.1.1 (Design Considerations) would also be a logical place to identify the sewer line elevations that need to be retained to maintain gravity flow. [The sewer line information is available: plan set page C01 indicates the sewer pipe invert elevations to be 217.05 to 217.45 ft NAVD88.]	
9	4.1 Robison Trail 6.1 Robison Trail Brigde	11-12 19	--	Context/Design	I do not see discussion (in Section 4.1, Section 6.1, or in the design drawings) or any details about re-routing or channelizing the creek beneath the proposed bridge. Add discussion, engineering design and permitting requirements, and details regarding how the creek flows will be routed beneath the proposed bridge. OR provide additional context about how re-routing the stream channel toward the proposed bridge will not be necessary.	
10	4.4 Beaver Management 6.4 Beaver Management	14 20	--	Context/Design	Flexible pond levelers are proposed for locations on west end of West Edmonds Marsh and in East Edmonds Marsh just east of Robison Trail. Suggest adding more detailed description of these devices. Are they relied on to convey the flow of the creek or are they used to control WLE on beaver dams off the main channel? If proposed for the main channel, do they allow for fish passage? Or discuss whether or not they need to allow for fish passage.	
11	4.4 Beaver Management 6.4 Beaver Management	14 20	--	Context/Design	Are the beaver exclusion devices (typical installation details shown on plan set page TC04) intended to allow for fish passage? Or maybe marsh habitat improvements for fish are not intended to go this far upstream in the East Edmond Marsh. Consider clarifying somewhere in the text (e.g., 1.1 Purpose) the upstream extent of habitat improvements for fish.	
12	4.4 Beaver Management 6.4 Beaver Management	14 20	--	Design	It is acknowledged that regular maintenance of beaver exclusions and flexible levelers will be required. What are the O&M needs of the beaver management activities and who has been identified to perform that maintenance on an on-going basis? Because that is such an important part of the function of the proposed system improvements, include that detail.	

Attachment 1-A: Comments on Preliminary Basis of Design Report
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
13	4.4 Beaver Management 6.4 Beaver Management	14 20	--	Context	The earlier Sequalitchew Creek Restoration Plan (prepared for CalPortland and Environmental Caucus, May 9, 2018) included detailed O&M needs for the restoration project. If the O&M roles and responsibilities identified in that plan are still relevant, they could be included by reference.	
14	4.4 Beaver Management	14	Table 3	Grammatical	There appear to be some discrepancies in target elevations between Table 3 and Figure 3. Suggest reviewing and revising, if appropriate. For example, • East Edmond Marsh: Table 3 indicates October WSE of 214.0 ft and March WSE of 214.2 ft. Figure 3 indicates October WSE of 214.2 ft and March WSE of 214.0 ft. Both October/March values are different. • West Edmond Marsh: Table 3 indicates October WSE of 210.0 ft and March WSE of 211.5 ft. Figure 3 indicates October WSE 211.0 ft and March WSE of 211.5 ft. October values are different.	
15	4.4 Beaver Management 6.4 Beaver Management	14 20	--	Design	Provide hydraulic basis (i.e., open channel flow concepts) of the feasibility of flow through the marsh system at the target WLEs. For example, during the October target WLE conditions (based on Table 3 values), the approximate overall gradient across the marsh system is ~0.0006 ft/ft (4.0 ft over ~7,000 ft). Under March target WLE conditions, the approximate overall gradient across the marsh system is ~0.0004 ft/ft (2.7 ft over ~7,000 ft). The gradients may be even lower than this if the creek flow is re-routed beneath the proposed Robison Trail Bridge at the southern margin of Edmond Marsh. Suggest adding a statement regarding the expected hydraulic gradients and whether they are sufficient to induce flow through the improved marsh system. This is important for function of the improved marsh system, both in terms of creek flow available downstream and water temperature.	
16	Figure 2	--	--	Grammatical/ Design	The proposed WSE in eastern East Edmond Marsh is shown as an uncertain "214.?" ft NAVD88. This WLE is an important piece of the system design and should be known, as it may inform whether water is actually able to flow through the marsh/creek system.	
17	Figure 3	--	--		See comment #14 above regarding apparent discrepancies in target WLEs provided in Table 3 and Figure 3. Suggest reviewing and revising, as appropriate.	
Note						
a) Grammatical comments are regarding an apparent typographical error or discrepancy with other parts of the report or other documents; Context comments are suggesting the addition of additional information to assist the reader understand the context of a particular item; Design comments are identifying a portion of the project that may require additional consideration from a design or function standpoint.						

ATTACHMENT 1-B

Comments on 60% Design Plans

Attachment 1-B: Comments on 60% Design Plans
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
1	--	--	--	Context/Design	Consider including construction Sequencing for individual project elements and/or for the overall project.	
2	--	--	--	Design	If creek re-routing or channelizing is required in Edmond Marsh to facilitate flow beneath the proposed Robison Trail Bridge, provide adequate construction design plans and drawings.	

Note
a) Grammatical comments are regarding an apparent typographical error or discrepancy with other parts of the report or other documents; context comments are suggesting the addition of additional information to assist the reader understand the context of a particular item; Design comments are identifying a portion of the project that may require additional consideration from a design or function standpoint.

ATTACHMENT 1-C

Comments on Critical Areas Report

Attachment 1-C: Comments on Critical Areas Report
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
1	General Comment	--	--	Context/Design	There is no discussion of need to channelize the wetland for the new Robison Trail bridge location to facilitate flow through the marsh. [This is a companion comment for comments #6 and #9 for the Preliminary Basis of Design Report.]	
2	6.2.1.1 Hydrology	19	Par. 2 of section	Grammatical/ Context	Verify the anticipated creek flow values are consistent with current estimates. The values cited here (2.2 cfs in August and 22.3 cfs in March) appear to be different from those noted in Section 4.5.3.1 of the E&WR, Appendix F of the E&WR Report, and the older 'Cumulative Effects Summary' report (Aspect 2016). Suggest reviewing and revising, as appropriate.	
Note						
a) Grammatical comments are regarding an apparent typographical error or discrepancy with other parts of the report or other documents; Context comments are suggesting the addition of additional information to assist the reader understand the context of a particular item; Design comments are identifying a portion of the project that may require additional consideration from a design or function standpoint.						

ATTACHMENT 1-D

Comments on SEPA Checklist

Attachment 1-D: Comments on SEPA Checklist
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
1	A. Background	2	#8	Context	All documents referenced in the checklist should include an appropriate citation including report author and date.	
2	A. Background	2	#11	Context	Provide a complete citation for the "Scope of Work" reference. The final sentence in the paragraph is incomplete, "The total stream miles are X and acres are X," provide quantitative values.	
3	A. Background	2	#12	Context	Provide a complete citation for the "Scope of Work" reference.	
4	B. Environmental Elements Earth	3	#1a	Context	Provide more detail in the response. The SEPA checklist guidance asks applicants to list the average soil profile to a depth of four feet. Include source of updated information.	
5	B. Environmental Elements Earth	3	#1d	Context	The applicant responded, "There is no history of signs of unstable soil," provide a source information for this response.	
6	B. Environmental Elements Earth	3	#1e	Context	Provide a complete response. SEPA checklist guidance asks the applicant to provide quantities of grading, excavation, or fill in cubic yard measures. Provide specific fill source. Location information should either be more completely described and/or the reference to the "… Losing Reach project found in the planset," should be updated with correct citation (e.g., …"specific locations to be filled on the project site are presented in Drawing No. C09 and C10 of the 60% Design for Sequalitechew Creek Watershed Ecosystem Restoration (Anchor QEA, February 2023") and briefly described (e.g., excavation is limited to footing removal of pedestrian bridges cites for demolition and is estimated to be approximately XX cubic yards).	
7	B. Environmental Elements Earth	3	#1f	Context	Provide a complete response. Erosions risk from construction and mitigation efforts are included in the Preliminary Basis of Design Report (Anchor QEA, April 2023). See SEPA checklist guidance for the level of detail requested.	
8	B. Environmental Elements Earth	3	#1g	Context	Provide a complete response. Impervious surfaces include paved paths and bridges, see SEPA checklist guidance.	
9	B. Environmental Elements Air	4	#2a-c	Context	Update responses in this section. Per the SEPA checklist guidance responses in this section are expected to include emissions from heavy equipment during construction if applicable.	
10	B. Environmental Elements Water - Surface Water	4	#3a1	Context	Provide a complete response. Per the SEPA checklist guidance responses in this section are expected to identify any water quality issues and describe any water-based invasive species in the area.	
11	B. Environmental Elements Water - Surface Water	4	#3a2	Context	Provide a complete response. Provide a complete citation for the "Scope of Work" reference. Per the SEPA checklist guidance responses should include discussion of the removal or placement of in-water structures, and described how the material has been checked for invasive species and how any invasive species will be remove and disposed of appropriately.	
12	B. Environmental Elements Water - Surface Water	4	#3a3	Context	Provide a complete response, "Anywhere from 1,000 to 8,000 CY of fill will be placed in the Losing Reach (Design page #)," add the design page and document citation.	
13	B. Environmental Elements Water - Groundwater	5	#3b	Context	Responses need revision. The proposal will affect drainage patterns in Sequalitchew Creek system as described in project documents, add description.	
14	B. Environmental Elements Plants	6	#4b	Context	Provide complete citation for "Arborist Report".	
15	B. Environmental Elements Animals	6-7	#5	Context	Provide source for information for the responses in this section (a through e).	
16	B. Environmental Elements Energy/Natural Resources	7	#6a	Context	Update response to include energy resources for construction, per SEPA guidelines.	
17	B. Environmental Elements Environmental Health	7	#7a	Context	General comment, provide source of information for responses provided.	
18	B. Environmental Elements Environmental Health	7	#7a1	Context	Washington Department of Ecology Contaminated Sites List includes several listings in the project vicinity. Update the response to include discussion of whether these sites have impacted the project location.	
19	B. Environmental Elements Environmental Health	7	#7a4	Context	Describe spill response plan for heavy equipment operation during construction (potential for fuel or hydraulic oil spills).	
20	B. Environmental Elements Environmental Health	7-8	#7b	Context	Provide information on short-term noise impacts during construction.	
21	B. Environmental Elements Land and Shoreline	8	#8a	Context	Describe past and future foreseeable land uses affected by the proposal, see SEPA guidance.	
22	B. Environmental Elements Land and Shoreline	8	#8c	Context	Add description of bridges and culverts.	
23	B. Environmental Elements Land and Shoreline	8	#8d	Context	Add description of planned demolition of bridges and culverts.	
24	B. Environmental Elements Land and Shoreline	8	#8g	Context	Add discussion of shoreline area where Sequalitchew Creek meets the Puget Sound.	
25	B. Environmental Elements Land and Shoreline	8	#8h	Context	Reference Critical Areas Report (Anchor QEA, April 2023) and provide a summary of report findings.	
26	B. Environmental Elements Land and Shoreline	9	#8l	Context	Provide a complete response. See SEPA checklist guidance and update the response.	
27	B. Environmental Elements Aesthetics	9	#10a	Context	Revise response to include discussion of new bridge structures included as part of the project.	
28	B. Environmental Elements Recreation	10	#12b	Context	Revise response to add discussion of any anticipated disruption to public access of walk trails during project construction. Describe anticipated changes, if any, to shoreline access along Sequalitchew Creek Trail.	

Attachment 1-D: Comments on SEPA Checklist
Hydrogeologic and Hydrologic Technical Peer Review
Sequalitchew Creek Restoration Plan

Comment #	Section	Page	Paragraph/Row	Comment Type (a)	Comment	Response
29	B. Environmental Elements Historic/Cultural Preservation	10	#13	Context	This section needs to be revisited and revised. The Washington Information System for Architectural and Archeological Records Data (WISAARD) predictive model recommends highly advises an archeological survey in the project area. Appropriate tribal consultation should be undertaken. See SEPA checklist guidelines. Cultural resources are documented in detail in the *Cultural Resources Assessment for the Sequalitchew Creek Watershed Project* (Aqua Terra Cultural Resources Consultants, 2022), which should be referenced.	
30	B. Environmental Elements Transportation	11	#14a	Context	Provide a complete response, see information requested in SEPA checklist guidelines.	
31	B. Environmental Elements Transportation	11	#14e	Context	Revise response, the question is in regards to water transportation, project documents do not suggest water transportation is part of this project.	
32	D. Supplemental Sheet for Nonproject Actions	12	--	Context	Revise responses to discuss and consider non-project actions. Non-project actions are governmental actions involving decisions about policies, plans, or programs containing standards for controlling use or modifying the environment or will govern a series of connected actions.	

Note

a) Grammatical comments are regarding an apparent typographical error or discrepancy with other parts of the report or other documents; context comments are suggesting the addition of additional information to assist the reader understand the context of a particular item; Design comments are identifying a portion of the project that may require additional consideration from a design or function standpoint.

Type of Oak Woodland	Mapping Unit Number	Condition Class	Size (Acres)
Mixed	MO-1a	Low	8.9
Mixed	MO-1b	Moderate	6.7
Mixed	MO-2	Moderate	4.1
Mixed	MO-3	Moderate	1.4
Mixed	MO-4	Low	1.6
Mixed	MO-5	Low	2.5
Mixed	MO-6	Moderate	1.4
Mixed	MO-7	Low	1.3
Mixed	MO-8	Moderate	0.9
Mixed	MO-9	Moderate	2.2
Mixed	MO-10	Moderate	1.1
Mixed	MO-11	Low	3.5
Mixed	MO-12	Low	0.9
Mixed	MO-13	High	10.8
Mixed	MO-14	Moderate	1.3
Mixed	MO-15	Moderate	1.0
Mixed	MO-16	Low	0.9
Mixed	MO-17a	Moderate	8.0
Mixed	MO-17b	Moderate	8.1
Mixed	MO-18	Moderate	3.1
Dominant	O-1	High	28.5
Dominant	O-2	Low	1.4
Dominant	O-3	Moderate	0.4
Dominant	O-4	Moderate	0.6
Dominant	O-5a	High	4.1
Dominant	O-5b	Moderate	5.8
Dominant	O-6	Low	0.9
Total			111.4

Note: Oak Woodland boundaries are approximate and not surveyed.

750' 0 750' 1500'
SCALE: 1"=750'

N

Sequalitchew Creek
City Boundary (approximate)
PUGET SOUND
OLD FORT LAKE
Management Zone 1 Oak Savannah
Management Zone 2 West Edmond Marsh
Management Zone 3 Sequalitchew Creek
Management Zone 4 North Edmond Marsh
Center Drive
Palisades Blvd
Northwest Divisions
DuPont Steilacoom Road
EDMOND MARSH
BELL MARSH
VILLAGE OF DUPONT
POND LAKE
STRICKLAND LAKE
GRANT LAKE

LEGEND:

- Mixed Oak Woodland
- Oak Woodland
- (7) Wetland
- Core Area to be Preserved (See Oak Management Recommendations)

Exhibit A: Location of Oak Woodlands and Management Zones and the Biological Condition Class of Oak Woodlands in the DuPont Study Area

Prepared by: Jones & Stokes Associates, Inc. 7-22-96

FILE COPY
NOT FOR
LOANING OUT

From:	Barbara Kincaid
To:	Janet Howald; Lisa Klein
Subject:	[EXTERNAL] Fwd: Comments due Nov 20 for restoration plan
Date:	Friday, November 10, 2023 6:07:14 AM
Attachments:	CALPORTLAND"S SEQUALITCHEW CREEK RESTORATION PLAN.docx

Janet and Lisa,
I have received the following email and attachment regarding the Sequalitchew Creek Restoration Plan.

Lisa- please review and forward to our reviewers and Grette.

Janet- please file in project folder.

Thanks,
Barb

Get Outlook for iOS

From: Don Russell <krdr1@juno.com>
Sent: Friday, November 10, 2023 5:36 AM
To: Barbara Kincaid <bkincaid@dupontwa.gov>
Cc: Troutt.David@nisqually-nsn.gov <Troutt.David@nisqually-nsn.gov>; donovan.gray@ecy.wa.gov <donovan.gray@ecy.wa.gov>; Jeffrey Davis <Jeffrey.Davis@dfw.wa.gov>; Ronald Frederick <rfrederick@dupontwa.gov>; Beth Elliott <bethelliott1953@gmail.com>; rbuckccwc@gmail.com <rbuckccwc@gmail.com>; Al Schmauder <al_schmauder@hotmail.com>; Johnson, Shea <shjohnson@thenewstribune.com>
Subject: Comments due Nov 20 for restoration plan

Barbara,

In the below email I advised that the proposed 10 years in the making SPSSEG/Anchor Sequalitchew Creek Restoration Plan is based upon a number of **erroneous assumptions** that were codified in the **DuPont Mine, Restoration of Sequalitchew Creek Watershed, and Preservation of Puget Sound Shorelands and Adjacent Open Space 2011 Settlement Agreement**. The attachment provides historical and factual background information that brings to light this fact.

I remind you and others that Anchor has been CalPortland's/Glacier Northwest's funded and long time consultant tasked with convincing the City of DuPont to grant it a conditional use permit that would allow the dewater of the Vashon aquifer that sustains water Edmond Marsh and flow in the ravine reach of Sequalitchew Creek.

The short time for public comment on the SPSSEG/Anchor proposed Sequalitchew Creek Restoration Plan is yet **another ploy** to exclude stakeholders ample opportunity to weigh in on this very contentious issue and follows a pattern of **CalPortland/Glacier Northwest manipulation** as

described in the attached to exclude City of DuPont's citizens adequate stakeholder input and responsible application of DuPont's critical area ordinances.

The SPSEEG/Anchor Sequalitchew Creek Restoration Plan is CalPortland's/Glacier Northwest's **mitigation ploy** to obtain a conditional use permit to mine currently Vashon aquifer saturated gravel in its middle and South Parcel. It should not be deemed **acceptable mitigation** for the permanent environmental harm that dewatering the Vashon aquifer will do to Edmond Marsh, Sequalitchew Creek and the City of DuPont.

Don Russell

Sent from Mail for Windows

From: Don Russell
Sent: Thursday, November 9, 2023 6:03 AM
To: rbuckccwc@gmail.com; Al Schmauder; derek.faust@cptc.edu; Rikki McGee; Marianne Lincoln; Claudia Finseth; Mari.Leavitt@leg.wa.gov; Dan.Bronoske@leg.wa.gov; donovan.gray@ecy.wa.gov; Barbara Kincaid; RFrederick@dupontwa.gov; lancew@spsseg.org; Kristin Williamson; Beth Elliott; Johnson, Shea
Subject: FW: Comments due Nov 20 for restoration plan

Renee, et al,

Be aware that this proposed Sequalitchew Creek restoration plan is based upon a number of erroneous assumption about the condition of the surface and groundwater levels and water quality in Sequalitchew Lake, Edmond Marsh and in the ravine reach of Sequalitchew Creek and the impact that CalPortland's Glacier Northwest's quest to dewater the Vashon aquafer will have on both Edmond Marsh and Sequalitchew Creek.

I refer you to the attached documents for some background information. I have plenty more papers on this subject for those interested.

Bear in mind that: **A SEPA Mitigated Determination of Non-significance (MDNS) is anticipated!**

Don

Sent from Mail for Windows

From: Beth Elliott
Sent: Wednesday, November 8, 2023 8:34 PM
To: Don Russell
Subject: Comments due Nov 20 for restoration plan

https://www.dupontwa.gov/DocumentCenter/View/7089/20231106-NOA-ODNS-Sequalitchew-Cr-

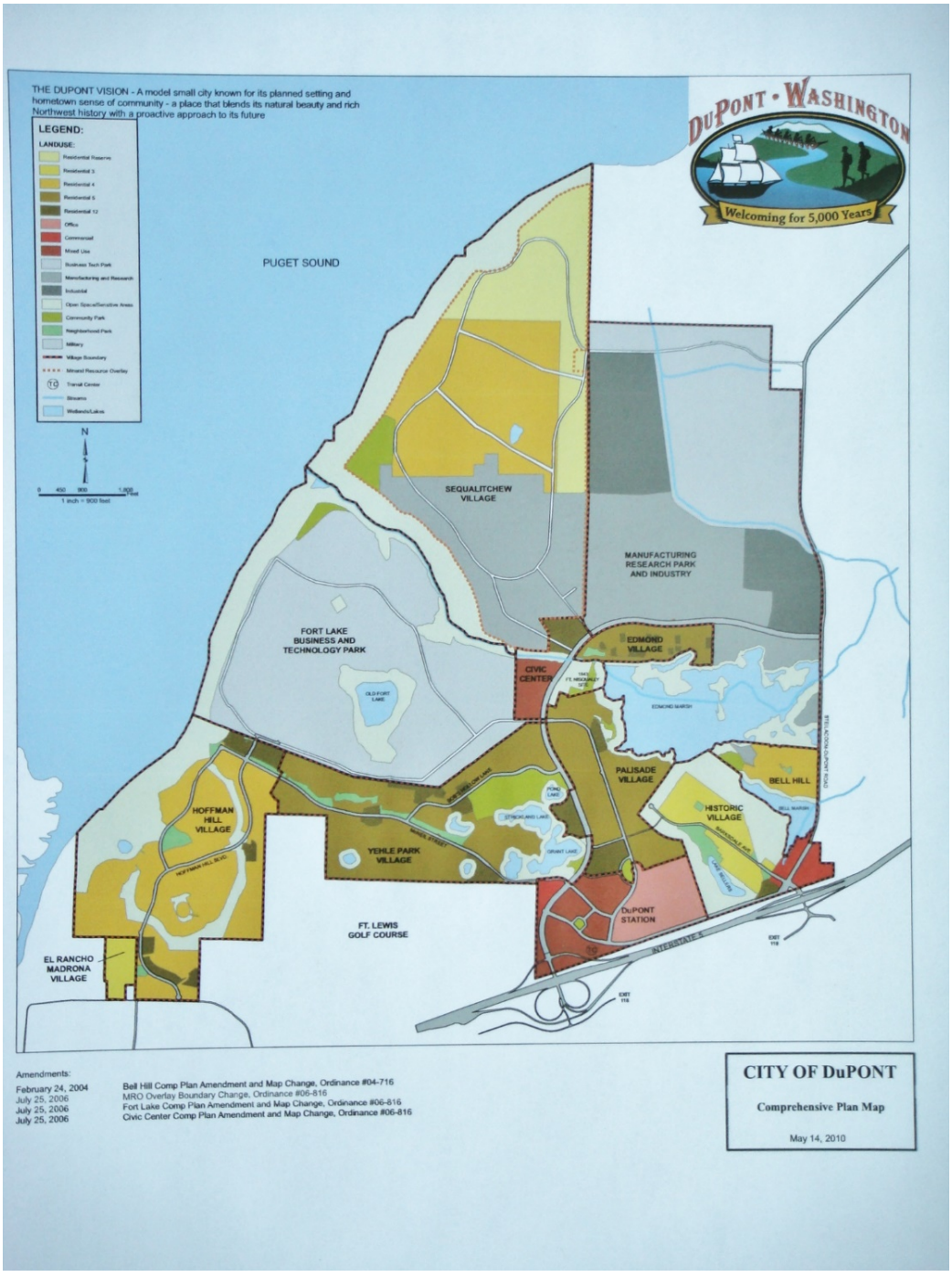
PLNG2023-007

CALPORTLAND'S SEQUALITCHEW CREEK RESTORATION PLAN

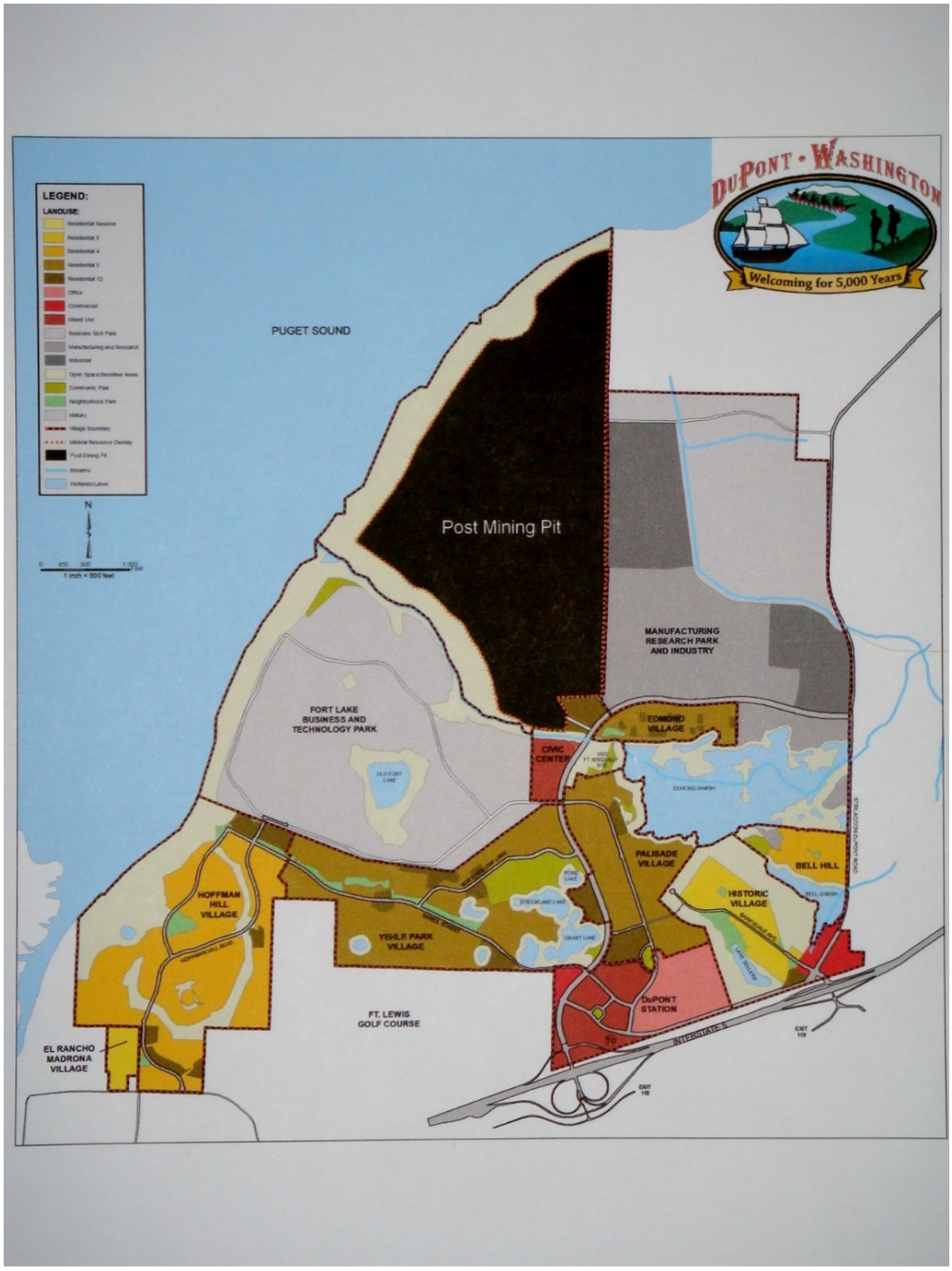
Preface

This paper describes how Weyerhaeuser and CalPortland (under its several alias) have succeeded in manipulating events, data and people into accepting their version of the future of a once forested 700 acres of prime DuPont real estate.

Weyerhaeuser's Vision as presented to DuPont's private property owners



Weyerhaeuser/CalPortland's Vision of 700 acres of prime DuPont real estate



CalPortland's proposal for reconciling these two contrasting and contradictory visions

In exchange for the City of DuPont issuing a conditional use permit to mine approximately 300 acres of Vashon aquifer groundwater saturated gavel contained within the footprint of its 700 acre gravel pit CalPortland has offered the City of DuPont a Sequalitchew Creek Restoration Plan that upon its implementation will render the site unfit for its intended future development.

Origin of the Sequalitchew Creek Restoration Plan

The CalPortland/Environmental Caucus/South Puget Sound Salmon Enhancement Group drafted Sequalitchew Creek Restoration Plan is the result of three decades of CalPortland's manipulation of events, data and people as chronicled below.

1993 DuPont Quality-of-Life Committee Newsletter

In June, 1993 a Neighbor to Neighbor citizen newsletter "*…dedicated to the great proposition that DuPonters have the right (and responsibility) to protect our quality-of-life and this region's historical and environmental integrity*" published an article in opposition to a proposed Weyerhaeuser/Lone Star DuPont 700 acre gravel mine.

The article is insightful since it described in detail Lone Star's (CalPortland) strategy for overcoming citizen opposition to its acquisition of a conditional use permit to mine gravel in land that it either leased or purchased in the City of DuPont under conditions that it dictated.

CalPortland's 1993 strategy was to provide DuPont's Planning Manager the necessary funding and consultants to draft a request that the City issue a conditional use permit to mine dry gravel in City designated mineral resource overlay areas and to convince the Mayor and City Council that approval of such a conditional use permit would benefit the City of DuPont. Should issuance of a conditional use permit to mine gravel be legally challenged by any outside party, i.e., citizens of DuPont or environmental advocacy group CalPortland would pay all the City's legal expenses necessary to defend the City Council's approval of issuance of a conditional use permit.

Application of this CalPortland strategy is manifest in all CalPortland manipulated events that have taken place since 1993. This strategy has been instrumental in determined the outcome of subsequent actions related to the development of the CalPortland/Environmental Caucus/South Puget Sound Salmon Enhancement Group drafted Sequalitchew Creek Restoration Plan. The Sequalitchew Creek Restoration Plan contains no relevant citizen stakeholder input.

Provisions of RCW 90.82 Watershed Planning assure that "*DuPonters have the right (and responsibility) to protect* [their] *quality-of-life and this region's historical and environmental integrity*" as codified below.

"*The purpose of this chapter is to develop a more thorough and cooperative method of determining what the current water resource situation is in each water resource inventory area of the state and to provide local citizens with the maximum possible input concerning their goals and objectives for water resource management and development.*" RCW 90.82.005

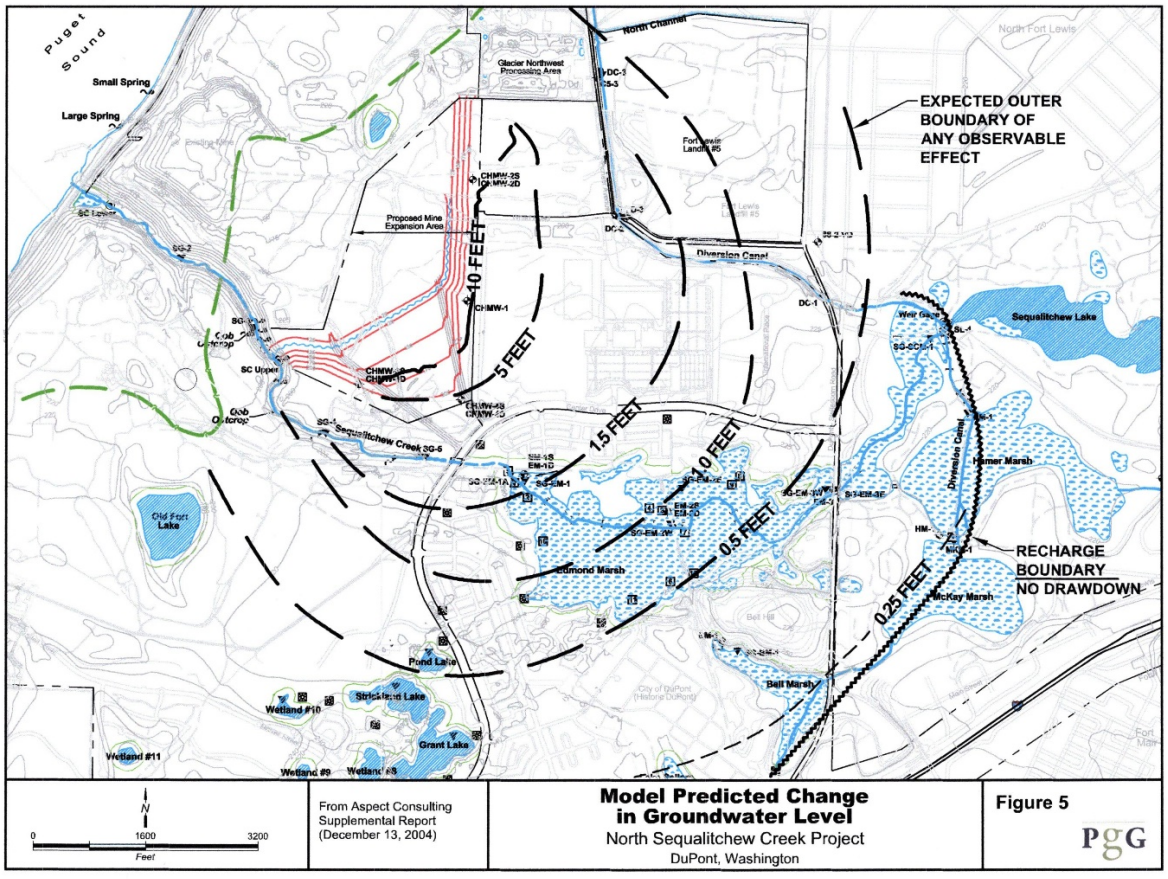
"*The local development of these plans serves vital local interests by placing it in the hands of people: Who have the greatest knowledge of both the resources and the aspirations of those who live and work in the watershed; and who have the greatest stake in the proper, long-term management of the resources.*" RCW 90.82.010

DuPonters have been denied "*the right (and responsibility) to protect* [their] *quality-of-life and* [DuPont's] *historical and environmental integrity*" contrary to provisions of RCW 90.82.

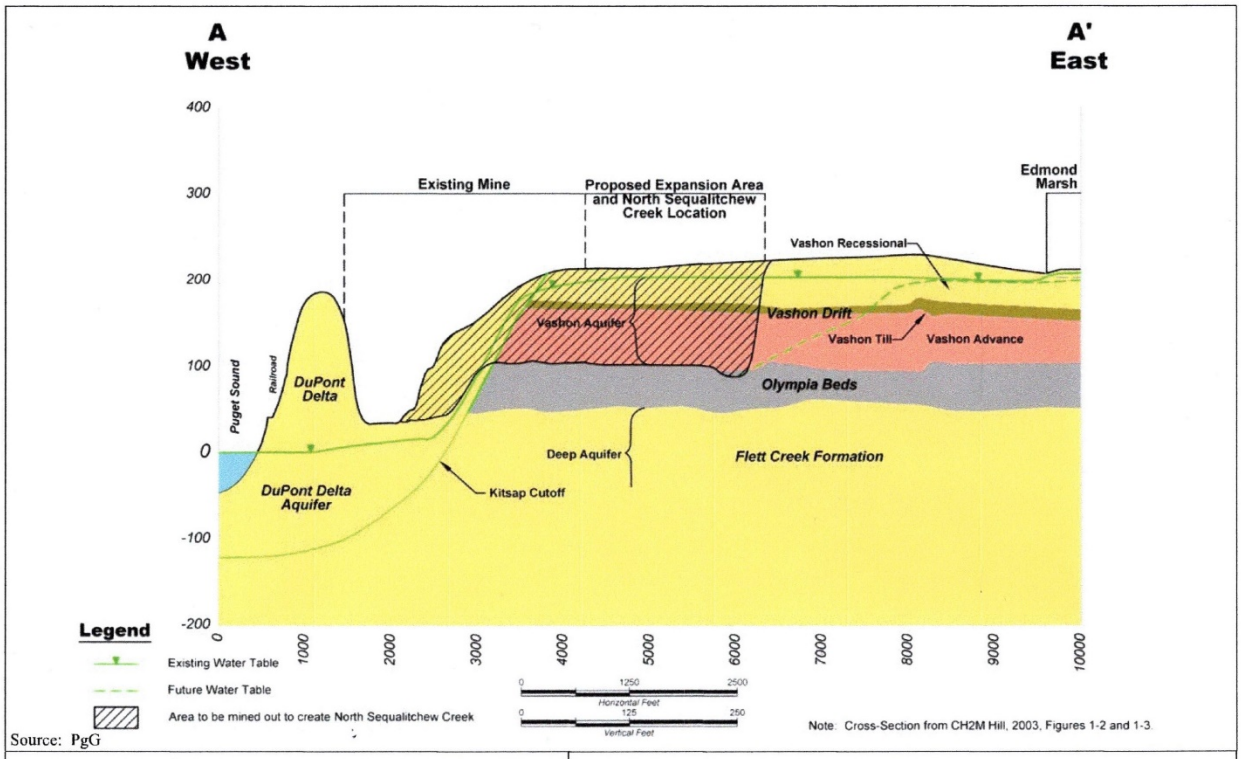
The 1994 Settlement Agreement

In 1994 in exchange for limited access and use of Weyerhaeuser owned land the City and several environmental advocacy groups (Environmental Caucus) entered into an Agreement that granted Lone Star (CalPortland) a conditional use permit to mine gravel in a 360 acre designated mineral resource overlay area. A key provision of that Agreement was "*WRECO and Lone Star agree to seek no permit in the future to mine…in a manner that would significantly impact the flow of Sequalitchew Creek.*"

During 2002-2006 Glacier Northwest (CalPortland) employed several consulting firms to study the hydrogeology of its existing 360-acre gravel mine and a proposed 170 acre south expansion area of its mine. The task was to come up with a plan (North Sequalitchew Creek) to access the Vashon aquifer saturated gravel that existed in 117 acres of its existing mine and in 170 acres of a leased south mine expansion area. These two areas were jointly referred to as the South Parcel.



The results of CalPortland consultants' studies are shown in the above illustration, i.e., a ground and surface water drainage ditch constructed at the base of the southeastern wall of the south mine expansion area. This in mine drainage ditch was intended to discharge its comingled groundwater and stormwater runoff through a cut in the southwestern mine wall and into lower Sequalitchew Creek. This proposal was called the North Sequalitchew Creek project.



This figure is from the Final Supplemental Environmental Impact Statement, Glacier Northwest DuPont Mining Area Expansion and North Sequalitchew Creek Project, May 1, 2007, Figure 3.4-1

Figure 9
Generalized Geologic Cross Section

553-3044-001/03(04) 1/09 (B) ai

The above illustration shows the location of the proposed in mine breached Vashon aquifer groundwater and stormwater runoff interceptor drainage ditch (aka North Sequalitchew Creek) perched upon impervious post mining exposed Olympia Bed material (center of the illustration). Note also that the post mining condition exposes impervious Olympia Bed material westward to a 25 foot drop off into the pervious bottom of the existing CalPortland DuPont mine.

Expansion of DuPont's mineral resource overlay area

In 2006 CalPortland persuaded the DuPont City Council to designate the entire 700 area shown in black on the second iteration of DuPont's Comprehensive Plan Map as a mineral resource overlay area. It included the South Parcel and a CalPortland owned North Parcel.

2006-2008 The City of DuPont modifies its Comprehensive Plan

The modification was done to reflect the expanded mineral resource overlay area and facilitate the permitting of Glacier Northwest's mining of both the South and North Parcels.

2008 Nisqually Delta Association Intervention

On July 16, 2008 the Nisqually Delta Association asserted that the proposed expansion of Lone Star's (CalPortland) gravel mine violated section II.B.5 of the 1994 Settlement Agreement's

provision "…*not to seek any permits to mine within the shoreline jurisdiction, within 100 feet of the top of the bank of Sequalitchew Creek, or in a manner that would significantly impact the flow of Sequalitchew Creek.*"

On January 4, 2009, the Nisqually Delta Association sent a Notice of Breach of the 1994 Settlement Agreement and Request for Mediation to Glacier Northwest and the City of DuPont.

February 13, 2009 Don Russell submittal to DuPont's Hearing Examiner

In my submittal I expressed opposition to the City's issuing a conditional use permit to Glacier Northwest for mining the South Parcel as proposed by Glacier Northwest's consultants and as conditioned by DuPont's Planning Manager on several bases.

Glacier Northwest's proposal envisioned the creation of an in mine 4000 foot long drainage ditch (aka North Sequalitchew Creek) to intercept 6.5 million gallons per day of breached Vashon aquifer groundwater discharging from the face of the steep eastern bank of the expanded South Parcel gravel mine plus any stormwater runoff from 287 acres of exposed South Parcel Olympia Bed impervious surface. This comingled discharging groundwater and polluted surface water runoff would then be conveyed through 500 feet of pipeline bored through the south wall of the mine and discharge into the Sequalitchew Creek ravine. Above this point of discharge there would be no groundwater discharge supplied base flow in Sequalitchew Creek.

I noted that execution of the proposed North Sequalitchew Creek plan would result in the elimination of Kettle Wetland and Sequalitchew Creek canyon Seep and Riparian Forest wetlands in violation of several of DuPont's sensitive areas regulations and RCW 78.44 that states *"…reclamation of mined lands is necessary to prevent or mitigate conditions that would be detrimental to the environment and to protect the general welfare, health, safety, and property rights of the citizens of the state.*" The post mining condition of a dewatered DuPont gravel mine would be in violation of provisions of this RCW mandate.

Subsequently a decision was made by the parties signatory to the 1994 Settlement Agreement to abandon the Hearing Examiner approach to resolving the dispute between the Nisqually Delta Association, Glacier Northwest (CalPortland) and the City of DuPont in favor of what became known as the Memorandum of Understanding/Feasibility Study process.

Memorandum of Understanding/Feasibility Study process

In 2010 CalPortland proposed that the concerned parties enter into a Memorandum of Understanding Agreement. This CalPortland drafted MOU Agreement contained the following provisions: (1) *This MOU reflects the parties understanding of the process that will be followed in an effort to <u>avoid protracted litigation</u> concerning the 1994 Settlement Agreement.* (2) *The purpose of the Feasibility Study will be to identify and evaluate potential alternatives for improving ecosystem functions in the Sequalitchew Creek's watershed. The <u>parties expressly recognize that mine dewatering</u> is one such an alternative,* and (3) *The parties will meet to develop a list of possible actions that would <u>mitigate the potential impacts</u> of the proposed project by improving, enhancing, or protecting ecosystem functions in the Sequalitchew Creek watershed.*

On February 2, 2010 I advised DuPont City Council to not enter into such an MOU/Feasibility Study Agreement on the basis that the CalPortland proposed North Sequalitchew Creek South Parcel mining proposal, if executed, would violate several DuPont sensitive area regulations and the post mining restoration provisions of RCW 78.44, as would any other dewatering proposal.

All of the identified and evaluated potential alternatives for improving ecosystem function in the Sequalitchew Creek watershed were fatally flawed. Nevertheless, one alternative was chosen as a result of the MOU/FS process. It was alternative 1.6 titled: Infiltrate a Portion of Dewatering and Post-mining Groundwater Discharge to Recharge Puget Sound Springs.

Derek Booth of Stillwater Sciences, consultant for the Environmental Caucus, described alternatives that proposed infiltration of dewatering water within the mine as: "*We find no basis to expect they will offer any net environmental gain and do not support their advancement.*"

I submitted a paper titled The Consequence of Dewatering the Vashon Aquifer to all parties to the MOU/FS Agreement that stated that the 1.6 alternative was more seriously flawed than was the original CalPortland proposed North Sequalitchew Creek dewatering proposal.

In September 2010 Ron Frederick requested that Mayor Jenkins form a citizen advisory group to advise the Mayor and City Council regarding growing citizen concern about CalPortland's undue influence on DuPont's Planning Manager and Hearing Examiner, the lack of application and enforcement of existing City of DuPont's sensitive area regulations, and the very limited opportunity afforded citizens to participate in the ongoing CalPortland/Environmental Caucus/City watershed planning process.

2011 Settlement Agreement

On June 24, 2011 Sally Toteff (DOE), Pete Stoltz (CalPortland) and Tom Skjervold (Nisqually Delta Association) announced "**Agreement reached on plan to help restore Sequalitchew Creek, allow new mining proposal."** This Agreement essentially removed most of the constraints to CalPortland's obtaining a permit to mine dry (North Parcel) and Vashon aquifer groundwater saturated gravel (South Parcel) from CalPortland's expanded (from 360 acres under provision of the 1994 Settlement Agreement to 700 acres under provisions of the 2011 Settlement Agreement) DuPont gravel mine.

I advised DuPont Council members in numerous papers (one of which was titled: Grounds for Not Approving the Settlement Agreement) and via public testimony that the City should not become a signatory to the 2011 Settlement Agreement for a variety of reasons. All of which would significantly reduce the City's ability to bargain with CalPortland for significant benefits that would accrue to DuPont's residents, private property owners, visitors, and tourists.

On January 26, 2012, the City of DuPont Council authorized Mayor Grayum to sign on behalf of the City of DuPont the CalPortland lawyer drafted 2011 Settlement Agreement.

Sequalitchew Creek Restoration Plan

The 2011 Settlement Agreement required that the Sequalitchew Creek Restoration Plan incorporate the below five elements (as defined by CalPortland's consultants Aspect and Anchor) in order for the Plan to be approved by CalPortland and the Environmental Caucus.

4.1.1. Improvement of gradients so [surface] *water discharges from Hamer and Bell Marshes flow into Edmond Marsh rather than into the diversion canal.*

4.1.2. Improvements to create significant [surface water] *flows from Sequalitchew Lake into the Edmond Marsh complex to support a functional creek ecosystem, and provide for the passage of migratory fish in the Sequalitchew Creek system. To achieve this goal, the Parties will consider, at minimum, modification of the diversion canal flood control structure and gradients.*

4.1.3. Rehabilitation of Edmond Marsh by removal of sufficient fill and other flow impediments to provide the hydraulic gradients and capacity necessary to achieve and maintain adequate [surface water] *flows through the Marsh.*

4.1.4. Rehabilitation of Sequalitchew Creek below Edmond Marsh to reduce seepage, improve fish habitat, and help restore year-round [surface water] *flows.*

4.1.5. Active management of beaver activities to maintain the hydraulic gradients that provide [surface water] *flows through Hamer, Bell, and Edmond marshes. For purposes of this section, "active management of beaver activities" means management commencing with the least intrusive method and progressing to more intrusive methods only as necessary to maintain hydraulic gradients and flows, with lethal removal utilized only as a last resort.*

The above inserted bracketed words make it clear that CalPortland incorrectly assumed that Sequalitchew Creek is a surface water driven system. It is not. It is a groundwater discharge driven system. Herein lies the fallacious foundation of the CalPortland consultant drafted Sequalitchew Creek Restoration Plan.

Unfortunately, these CalPortland consultant prescribed elements were never vetted by others to determine whether or not they were grounded in a proper characterization of the 2011 condition of the Sequalitchew Creek watershed. What existed then (on the left) and what exists now (on the right) is best illustrated by a comparison of the two below photographs. In stream flows are dependent upon shallow aquifer groundwater levels. Ground water withdrawals (dewatering) are antithetical to surface water flow in the Edmond Marsh/Sequalitchew Creek ecosystem.

CalPortland's consultants characterized the Sequalitchew Creek/Edmond Marsh complex as a surface water driven system. It is not. It was a groundwater driven system that over the years has been adversely impacted by ever declining Vahon aquifer groundwater levels and ever increasing quantities of stormwater runoff being discharged into this once pristine salmon bearing groundwater fed stream and associated wetland complex.

What CalPortland's consultants monitored during the period from 2003 up until till 2011 and upon which the Sequalitchew Creek Restoration Plan was built no longer represents the condition of the Sequalitchew Creek watershed today. The Sequalitchew Creek Restoration Plan proposed by CalPortland's consultants is not relevant to addressing today's degraded condition of Edmond Marsh and what little is left of a naturally flowing and functioning Sequalitchew Creek.

A Relevant Sequalitchew Creek Restoration Plan

A relevant Sequalitchew Restoration Plan would recognize that a further and permanent lowering of the Vashon aquifer groundwater level beneath the Edmond Marsh/Sequalitchew Creek complex as proposed by CalPortland's dewatering proposal is antithetical to restroration of a groundwater discharge fed salmon bearing Sequalitchew Creek flowing through an associated groundwater sustained Edmond Marsh wetland.

The elements of such a plan would be the control of the surface water levels of upgradient groundwater fed, occasionally stormwater runoff polluted, Bell, McKay and Hamer Marshes so as to provide the necessary hydraulic head to cause water contained in these marshes to infiltration into the underlying groundwater that flows subsurface (not on the surface) to discharge into lower elevation level Edmond Marsh.

To facilitate the interception of this subsurface flow of groundwater and enhance the volume of its discharge into Edmond Marsh a Sequaltichew Creek channel should be constructed (dug) all along the eastern boundary of Edmond Marsh by CalPortland. This is the proper location for constructing a discharging Vashon aquifer groundwater intercepor channel, not at the bottom of a breached Vashon aquifer groundwater discharge/stormwater runoff flooded gravel mne pit!

Action Required

The Mayor and City Council should start acting on behalf of the citizens of the City of DuPont that they represent instead of acceding to CalPortland's under threat of "*protracted litigation*" demands.

The proposed Sequalitchew Creek Restoration Plan offered by CalPortland is a bright and shiny bauble to attract attention away from the fact that its execution will cause permanent and irreversible environmental harm to a groundwater disconnected Edmond Marsh/Sequalitchew Creek complex and a lost opportunity for what could become a salmon bearing Sequalitchew Creek flowing through the center of the City of DuPont.

If the proposed CalPortland Sequalitchew Restoration Plan is executed not only will Edmond Marsh/Sequalitchew Creek be lost forever, DuPont private property owners will be paying to operate and maintain an in mine facility to handle 6.5 million gallons per day of discharging groundwater comingled with a like quantity of polluted stormwater runoff in an area designated by the City to become Sequalitchew Village residential and industrial area real estate.

Conclusion

I have written and circulated numerous papers on the proper characterization of the Edmond Marsh/Sequaltichew Creek complex, how Mother Nature intended this complex to work, how the actions of humans have impaired its natural function, almost beyond the ability to restore it, and, importantanly, how at this late date this complex can be restored as desirable salmon habitat, an aesthetic ammenity to be enjoyed by the citizens of DuPont, and a popular tourist destination.

References

1953 Graduate (BS) of the University of Washington School of Fisheries, high school biology teacher, chemist, 21 year Pierce Conservation District volunteer stream and lake water quality monitor, long time member of the Chambers-Clover (Sequalitchew) Creek Wateshed Council (serve on its executive committee and as its former technical director), for seven years (2008-2014) observed, photo documented, took and analysed water samples from Sequalitchеww Lake, Edmond Marsh, Sequalitchew Creek and related marshes and authored numerous papers on the condition of the Sequalitchew Creek watershed and what would be required to restore its lost beneficail uses for salmon and people.

February 13, 2009 Letter to DuPont Hearing Examiner opposing Pioneer Aggregate-Glacier Northwest Mine Expansion into 180 acres of forested land located adjacent to and southest of its existing and approved by the 1994 Settlement Agreement 360 acre DuPont gravel (aggregate) mine.

February 25, 2009 paper titled: DuPont's Approval of Glacier Nothwest's Mine Expansion. This paper properly characterized the Edmond Marsh/Sequalitchew Creek ecosystem and cited the adverse environmental impacts that permitting CalPortland to expand its mining operations into 177 acres in a south extention would do to the environment.

June 28, 2009 paper titled Why Should the City of DuPont Care? This paper asks and answers the question "Why should the City of DuPont care about CalPortland's proposal to dewater the Vashon aquifer so that it can remove aggregate in an area of the City zoned for residential and industrial use?"

December 14, 2009 paper titled An Analysis of Glacier Northwest's MOU Strategy

January 10, 2110 Letter to Dawn Masko, DuPont City Administrator raising questions about the propriety of DuPont's Land Use Administrative Practices, i.e., specifically concerns about the City's practice of severly limiting public participation in land use decisions.

February 2, 2010 paper titled In Responsed to GN's MOU Preliminary Draft Feasibility Study

February 4, 2010 paper titled Restoration of the Sequalitchew Creek Watershed

February 10, 2010 Stillwater Sciences Technical Memorandum that comments on the feasibility of each of CalPortland/Core Group's proposed dewatering alternatives. None were adequate.

May 17, 2010 paper titled The Consequence of Dewatering the Vashon Aquifer.

September 2, 2010 paper titled An Examination and Evaluation of Alternative 2.1.6 Infiltrate Stormwater and Groundwater Discharges to Recharge Puget Sound Springs. Followed by a paper titled Glacier Northwest's MOU/FS Strategy viewed in Context

October 1, 2010 Mayor Jenkins establishes a Sequalitchew Creek and Edmond Marsh Committee chaired by Ron Frederick to advise her about the environmental condition of Sequalitchew Creek and land use practices and regulations that might protect the ecosystems of Sequalitchew Creek and Edmond Marsh from irreparable damage. I respond with an October 3, 2010 letter that addresses the subject The effectiveness of mitigation vs no impact in wetlands permitted citing the six goals of the Puget Sound Partnership that would be violated if DuPont issued a permit to CalPortland to dewater the Vashon aquifer. This was followed up by a October 8, 2010 paper titled Science and CalPortland's Dewatering Proposal

October 11, 2010 Letter advising a group of concerned DuPont citizens about CalPortland's Track Record of Promises vs Its Performance. This letter concluded with the statement that: *"There is simply no mitigation that will offset the permanent adverse impacts that will occur to Edmond Marsh and Sequalitchew Creek should CalPortland be permitted to dewater the Vashon aquifer!"*

October 22, 2010 paper titled Edmond Marsh and Sequalitchew Creek Watershed. This paper was written in response to the Mayor appointed Edmond Marsh and Sequalitchew Creek Committee's quest to understand the current environmental condition of Edmond Marsh and Sequalitchew Creek and the measures needed to preserve, protect and restore their historical function and values.

November 12, 2010 paper titled Misconceptions and Clarifications. This paper was written to address certain misconceptions and clarifications about citizen and governmental agency response to CalPortland's proposed expansion of its DuPont gravel mining operations.

November 25, 2010 paper titled Origin and History of the Diversion Canal

January 11, 2011 paper titled Message to DuPont City Council and Mayor This paper described the inferior position of citizen interests vis a vis the superior position of the Mayor and City staff in determining the fate of environmental conditions in the City of DuPont, i.e., the existence of an inverted power pyramid.

March 14, 2011 DJR discovery of the source of iron pollution in West Edmond Marsh

May 15, 2011 DJR commentary on the environmental impact on Sequalitchew Creek of the construction of Creekside Village and Center Drive access road modification.

July 6, 2011 paper titled Commentary on the Settlement Agreement sent to Mayor and Council members with an attachment titled CalPortland's Promises vs Its Performance noting that CalPortland has a poor track record of fulfilling its promises as evidenced by its violation of provisions of the 1994 Settlement Agreement and DNR provisions of its mining permit.

July 8, 2011 paper titled The Untold Story Behind the Settlement Agreement

July 9, 2011 DJR refutes Ecology's claim that there will be no adverse impact on the City of DuPont's domestic water supply as a result of permitting CalPortland to dewater the Vashon aquifer.

Sometime in July 2011 the October 1, 2010 Mayor appointed Sequalitchew Creek/Edmond Marsh Committee issues its Final Report. It contained 10 Recommendations on how the City of DuPont and its citizens can work together to provide protection of its valuable natural resources.

August 2, 2011 paper titled Grounds for Not Approving the Settlement Commentary on Settlement Agreement submitted to the Mayor and City Council members.

September 2, 2011 DJR Letter to Sally Toteff (Ecology) with copies to City Council members complaining about the brief amount of time allowed five citizens to speak of their opposition to the City Council authorizing the City of DuPont Mayor to become a signatory to the 2011 Settlement Agreement.

September ?, 2011 Gendler and Mann (attorneys) letter to Mayor Jenkins and City Council stating: *"You may believe that the Settlement Agreement does not bind you to any specific course of action and that you may therefore approve it prior to your review of the SEPA analysis. This belief is wrong for at least two significant reasons. First and foremost, ask yourselves the simple questions - if the Settlement Agreement does not bind the City to any course of action, then why are you signing it? Why does CalPortland want you to sign it? The answer should be obvious -by committing itself to the Settlement, the City is giving at least the appearance of cooperation and that it will issue the future permits. Indeed, the Settlement Agreement confirms in Section 12 that "based on existing information and analysis the Governmental parties believe they can issue permits consistent with this agreement." But the City is not in "believe" that permits may be issued for this project - especially at this early date. The City owes to itself and its citizens the responsibility and duty to remain absolutely and completely neutral.*" The letter went on to state: "*The City should decline to participate in the Settlement. The City should instead follow the process set out by SEPA and its implementing regulations, and, prior to making any decisions on CalPortland's proposal, fully educate itself on the complete environmental ramifications of your decisions.*"

September 6, 2011 DJR Power Point presentation titled Hydrology and Geology of DuPont.

September 27, 2011 DJR addresses the Mayor and City Council expressing opposition to the City signing the 2011 Settlement Agreement since it would commit the City staff to support CalPortland's quest to dewater and mine the South Parcel. That address is documented in a paper titled Public Hearing Comments on the 2011 Settlement Agreement.

September 30, 2011 DJR Power Point presentation titled Commentary on Settlement Agreement

October 2, 2011 Diana Barbera Letter published in The Suburban Times bearing the title DuPont Resident opposes [2011 Settlement] agreement.

January 26, 2012 paper titled Final Comments on the 2011 Settlement Agreement citing reasons why the City Council should not authorize the Mayor to become a signatory to the 2011 Settlement. It concluded by stating: "*…the role of the DuPont City Council should be to preserve, protect, restore and enhance the wellbeing, property values and quality of life for the citizens of DuPont by not approving the 2011 Settlement Agreement which promotes the commercial interests of CalPortland whose expanded South Parcel mining activities would diminish the value of all that the citizens of DuPont cherish about their City.*"

On January 26, 2012, the City Council voted in favor of authorizing the Mayor to sign the 2011 Settlement Agreement that pledged the City to support CalPortland's 1994 to 2011 quest to obtain a permit to dewater and mine the South Parcel.

January 29, 2012 DJR submits a Letter to the Editor of The Suburban Times under the banner The Consequence of the City of DuPont Council Approving the 2011 Settlement Agreement. That article concluded with the statement: "*There is no mitigation that will offset the adverse impacts that lowering the groundwater level in DuPont to facilitate mining saturated gravel in 117 acres of CalPortland's existing mine and in 180 acres of a leased south expansion area collectively known as the South Parcel will have on the natural function of Edmond Marsh, Sequalitchew Creek, Kettle Lake (to be eliminated), Sequalitchew Creek Ravine Riparian Forest and Springs and Puget Sound Shoreline Springs all of which are dependent upon their connectivity to and continuity with Vashon aquifer groundwater.*"

What followed in subsequent years was CalPortland's consultants (Anchor and Aspect), Nisqually Delta Association (Tom Skjervold) and South Puget Sound Salmon Enhancement Group (Lance Winecka) discussions on how to implement provisions of CalPortland lawyers' crafted 2011 Settlement Agreement. These discussions were closely held, resulting in precluding any DuPont citizen and concerned watershed stakeholder input. What emerged from these discussion was the CalPortland consultant crafted Sequalitchew Creek Restoration Plan.

In 2017 I provided the City of DuPont a proposed City managed Edmond Marsh/Sequalitchew Creek restoration plan. This plan was based upon a proper characterization of the condition of the Edmond Marsh and Sequalitchew Creek ecosystem. It was titled Edmond Marsh Fact vs [CalPortland's] Fiction.

Bottom line: CalPortland's proposed Vashon aquifer dewatering interception channel should be constructed by CalPortland paralleling the eastern shoreline of Edmond Marsh and be named coho salmon friendly groundwater fed Sequalitchew Creek and its off channel associated Edmond Marsh wetlands. It should not be located at the bottom of a mined out gravel pit that is subsequently slated to be developed as Sequalitchew Village (featuring Kettle Lake) and light industrial park that does not experience, in perpetuity, continuous groundwater discharge exacerbated by intermittent stormwater runoff flooding events.

Don Russell

November 15, 2020

NISQUALLY INDIAN TRIBE
Tribal Historic Preservation Office
4820 She-Nah-Num Drive S.E.
Olympia, Washington 98513
360.456.5221 (main)
877.768.8886 (toll free)
www.nisqually-nsn.gov

November 8, 2023

To: Barbara Kincaid
Director of Public Services
City of DuPont
1700 Civic Drive
DuPont, WA 98327

Re: PLNG2023-007 & 008

The Nisqually Indian Tribe's THPO has reviewed the notice of application and supplemental materials that you provided for the above-named project and requests that a cultural resources survey be required before any ground-disturbing activities are permitted. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Brad Beach, THPO
Nisqually Indian Tribe
360-528-1084
360-456-5221 ext 1277
beach.brad@nisqually-nsn.gov

cc: Annette Bullchild, Director, Nisqually Indian Tribe

DEPARTMENT OF THE ARMY
DIRECTORATE OF PUBLIC WORKS, JOINT BASE LEWIS-MCCHORD
2012 LIGGETT AVENUE, BOX 339500, MAIL STOP 17
JOINT BASE LEWIS-MCCHORD, WA 98433-9500

AMIM-LMP-E 4 DECEMBER 2023

MEMORANDUM FOR RECORD

SUBJECT: Environmental Review for Notice of Application with Optional DNS_Sequalitchew Creek Restoration Plan(J.Howald_Admin Spclst_City of DuPont_253.912.5232-Direct_253-964-8121-City Hall)

1. Environmental Review Project # 24-047

Air Quality:		RNC KLR 14-Nov 2023
Cultural Resources:		RWC KW 23-NOV-23 NO BACKCHECK REQUIRED
Drinking Water:		RNC CJB 11-21-2023
Energy:		DNR
Fish & Wildlife:		NO COMMENTS FROM PROGRAM 4-DEC-23
Forestry:		NO COMMENTS FROM PROGRAM 4-DEC-23
Hazardous Waste:		NO COMMENTS FROM PROGRAM MGR 27-NOV-23
IRP:		NO COMMENTS FROM PROGRAM MGR 27-NOV-23
NEPA:		RNC NM/AMP 21-NOV-23
P2 (Haz. Mat., EMS, Sustainable Acquisition) :		RNC MF 07 Nov 23
Solid Waste:		RNC KG 08-NOV-2023
Storm Water:		RNC DC 8-Nov-23
Tanks:		RNC CJB 11-21-2023
Toxic Substances (Asbestos, Lead, Radon):		RNC KLR 27-NOV-23

2. Project Managers are reminded that this document is a review only. Additional actions may be required to comply with all environmental requirements. See individual Program Managers comments on NPD 32 for more information.

3. Definitions of Comments: RNCC means Reviewed with No Comments-Concerns, RWCC means Reviewed with Comments-Concerns (see NPD 32), NR means Not Reviewed, NSP means Not sent to Program NATP Not Applicable to Program

Encl

WILLIAM BRITTON
Environmental Project Review Manager

REVIEW COMMENTS

PROJECT: Notice of Application with Optional DNS, Sequalitchew Creek Restoration Plan
LOCATION: DuPont, WA

REVIEWERS: **Katie West, DPW Architectural Historian, (253) 966-1769**
RESOURCE: **Built**
COMMENT: **RWC (24-047)**

PROJECT MANAGER: J. Howald
IJO/SPEC/PKG: Not provided
DATE OF REVIEW: 22-Nov-23
SUSPENSE DATE: 23-Nov-23

Design Document						Arch/LA
	D. Memo		Concept			Civ/San
	P&S	x	Prelim.			Mech/El
	Draft final		Final			Struct

Item No.	Drawing Sht. Spec. Para.	COMMENTS	Action taken on comment by: REVIEW CONF A-Accept W-Withdraw	DESIGN OFFICE C-Correction made. List dwg or para number where correction is made	BACK CHECK (initial)
1		Determined by the SOW for the title project, the area of potential effect (APE) is not located on property owned by JBLM, nor are any historic built environments located within the APE. There are no built environment concerns with the proposed action.			
		End of comments			

REVIEW COMMENTS	REVIEWER(S): **Jennifer Spence, DPW Archaeologist, jennifer.e.spence3.ctr@army.mil**
PROJECT: Notice of Application with Optional DNS, Sequalitchew Creek Restoration Plan	RESOURCE: **Archaeological**
LOCATION: Joint Base Lewis-McChord, WA	COMMENT: **RWC 24-047**
PROJECT MANAGER: Janet Howald IJO/SPEC/PKG: Not Provided DATE OF REVIEW: 11/27/2023 SUSPENSE DATE: 11/24/2023	Design Document: ( ) D. Memo ( ) Concept ( ) Civ/San; ( ) P&S (x) Prelim. ( ) Mech/El; ( ) Draft final ( ) Final ( ) Struct; ( ) Arch/LA

Item No.	Drawing Sht. Spec. Para.	**COMMENTS** w/ reviewers name in () if multiple reviewers	Action taken on comment by: REVIEW CONF A-Accept W-Withdraw	DESIGN OFFICE C-Correction made. List dwg or para number where correction is made	BACK CHECK (initial)
1	N/A	According to the Site Plan, the project area of potential effects (APE) is located outside of Joint Base Lewis-McChord. Please note that it is recommended that any discovery of archaeological materials or sites be reported to the Washington Department of Archaeology and Historic Preservation (https://dahp.wa.gov/). Reporting will not trigger any land use decisions but will aid in scientific research and preservation planning. Backcheck is not required.			
		End of comments			