

Timothy Goodman

The Washington State Department of Natural Resources appreciates the opportunity to provide the following comments on the Public Review Draft of the South State Street MGP Site Cleanup Action Plan.

1. Section 5.4.5 Sediment Capping. The CAP recognizes that sediment capping will affect eelgrass beds on SOAL. DNR strongly supports capping methods that minimize impacts to eelgrass. Please coordinate with DNR eelgrass experts on design.
2. Section 5.5 Institutional Controls. Add a description of the degree to which ICs will allow public uses to disturb sediment during and after recovery for each remedial type. If there is uncertainty at this phase of design, describe the most restrictive case. Do not defer this discussion to post-remedial design ancillary documents. How the public can utilize the land weighs upon the implementability of remedial options. DNR has management authority over how SOAL is used. That authority is not exempt under MTCA rules. In accordance with aquatic land management laws, DNR may have a preference for, allow with qualification, or adjust fees for certain remedial methods based on remedial specific land use restrictions. Use restrictions are particularly salient to the large areas of natural and enhanced recovery required by the CAP.
3. Section 6.3 Permits. As briefly mentioned in paragraph 2 of Section 6.3, DNR may require one or more use authorizations to construct and maintain the remedy on SOAL. The type of authorization will depend on the permanence of the remedial encumbrance. DNR appreciates recognition of our management role and looks forward to continued coordination with project proponents.
4. Section 6.5 Compliance Monitoring, Operations, and Maintenance. Use of SOAL will require monitoring reports be copied to DNR.
5. Figure 3. Change parcel label "DNR" to "State Owned" or "SOAL" (State Owned Aquatic Land). The title of Figure 3 indicates that its purpose is to show land ownership. Section 1.3 correctly identifies the State as owner and DNR as manager. Figure 3 is inconsistent with Section 1.3 and inaccurate.