

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

DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The proposed permanent rule replaces the emergency rule, Chapter 173-539A WAC, which Ecology put in place to protect existing water rights and in-stream resources. The proposed rule:

- Contains clear constraints on acquiring new water rights, including permit-exempt groundwater uses.
- Provides a path for expedited water right processing when the applicant supplies mitigation for their consumptive use by placing an existing water right into trust.
- Requires users to meter and report new water right withdrawals and diversions.

Proponent: Washington Department of Ecology, Water Resources Program

Location of proposal, including street address, if any: The rule will affect the use of new residential ground water appropriations throughout Kittitas County by requiring metering. In the upper (northwest) portion of Kittitas County and Water Resource Inventory Area (WRIA) 39 - Upper Yakima River the new ground water appropriations will have further restrictions under the proposed rule. This area, referred to as Upper Kittitas County, is bound on the south by the South Cle Elum Ridge and crosses the Thorpe Prairie and Yakima River near Taneum Road, the boundary then turns east following the crest of Table Mountain to the Kittitas/Chelan county border. See map in WAC 173-539A-080.

Lead agency: Washington Department of Ecology, Water Resources Program

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.
Comments must be received by August 6, 2010, 5:00 pm.

Responsible official: Mark Schuppe

Position/title: Water Resources Program Section Manager

Phone: (509) 454-4258

Address: 15 West Yakima Ave., Suite 200, Yakima WA 98902-3452

Date: 6/16/10

Signature Mark C. Schuppe

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. *Name of proposed project, if applicable:*
Adopt Chapter 173-539A WAC, Upper Kittitas Groundwater Rule
2. *Name of applicant:*
Washington Department of Ecology, Water Resources Program
3. *Address and phone number of applicant and contact person:*
Department of Ecology
Central Regional Office
Water Resources Program
15 West Yakima Avenue
Suite 200
Yakima WA 98902-3452

Mark Schuppe
(509) 454-4258
4. *Date checklist prepared:*
April 2010
5. *Agency requesting checklist:*
Washington State Department of Ecology (Ecology)
6. *Proposed timing or schedule (including phasing, if applicable):*
Ecology expects to adopt the rule and file the CR-103 in November 2010. The rule becomes effective 30 days after adoption.
7. *Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.*
Implementing the rule will include tracking reported well metering information.
8. *List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.*
A scope of work is currently being prepared for a comprehensive groundwater study that will define the hydrogeology of upper Kittitas County. The study will provide information about water availability and the relationship between surface and groundwater within the bedrock aquifers.
9. *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.*
Kittitas County has applications on file for future residential development within the county, including plat approvals and building permit applications. The Yakima General Adjudication of water rights is also ongoing, although nearing completion, and relates to Upper Kittitas County and most of the remainder of the county.
10. *List any government approvals or permits that will be needed for your proposal, if known.*
Compliance with the Administrative Procedures Act for the rule adoption process.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Ecology has adopted a series of emergency rules (Chapter 173-539A WAC) to withdraw all unappropriated groundwater within a portion of WRIA 39 in Kittitas County. The proposed permanent rule replaces the current emergency rule, which Ecology put in place to protect existing water rights and in-stream resources. The proposed rule:

- Contains clear constraints on acquiring new water rights, including permit-exempt groundwater uses.
- Provides a path for expedited water right processing when the applicant supplies mitigation for their consumptive use by placing an existing water right into trust.
- Requires users to meter and report new water right withdrawals and diversions.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The rule applies to all new water rights in the upper (northwest) portion of Kittitas County and Water Resource Inventory Area (WRIA) 39. This area, referred to as Upper Kittitas County, is bound on the south by the South Cle Elum Ridge and crosses the Thorpe Prairie and Yakima River near Taneum Road, the boundary then turns east following the crest of Table Mountain to the Kittitas/Chelan county border. See map in WAC 173-539A-080.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. *General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other...*
Most of Upper Kittitas County is mountainous or rolling hills, with lakes and the Yakima River and its tributaries lying in the valleys.
- b. *What is the steepest slope on the site (approximate percent slope)?*
There are some vertical slopes within the area.
- c. *What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.*
Soil types vary throughout the area.
- d. *Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.*
There are widespread areas of erosion risk soils dispersed through the area.
- e. *Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.*
None.

- f. *Could erosion occur as a result of clearing, construction, or use? If so, generally describe.*
Does not apply.
- g. *About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?*
Does not apply.
- h. *Proposed measures to reduce or control erosion, or other impacts to the earth, if any:*
None

2. Air

- a. *What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.*
Does not apply.
- b. *Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.*
No.
- c. *Proposed measures to reduce or control emissions or other impacts to air, if any:*
None.

3. Water

a. Surface

1. *Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.*

In Upper Kittitas County:

- Circle and Deep lakes empty into Spinola Creek.
- Venus, Spade, Shovel, and Rowena lakes flow into Waptus Lake.
- Spinola Creek, Waptus Lake, Lake Michael, Lake Terence, and Trail Creek flow into the Waptus River, which flows into the Cle Elum River.
- Glacier, Spectacle, and Chikamin lakes empty into the Cooper River, which contains Pete and Cooper lakes and empties into the Cle Elum River.
- Also along the Cle Elum River are Hyas Lake, Tucquala Lake, and Fortune Creek.
- The Cle Elum River flows into Cle Elum Lake.
- Rachel Lake flows into Box Canyon Creek, emptying to Little Kachess Lake, which flows into Kachess Lake.
- North, West, and Middle Fork Teanaway rivers are joined with Stafford Creek, Bear Creek, Jack Creek, Dickey Creek to feed the Teanaway River.
- Honey Creek and First Creek flows to Swauk Creek.
- Joe and Alaska lakes empty to Gold Creek.
- Mirror and Lost lakes, and Gold and Denny creeks flow to Keechelus Lake.
- Keechelus Lake via Price Creek, Big Creek, Swamp Lake, Kachess Lake, Swauk Creek, Cle Elum River, and Teanaway River all drain to the Yakima River.
- The Yakima River contains Lake Easton, and eventually drains to the Columbia River.

2. *Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.*

No.

3. *Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.*

None.

4. *Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.*

No.

5. *Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.*

A portion of the area, near waterways, contains a 100-year floodplain.

6. *Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.*

No.

b. *Ground*

1. *Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.*

The rule enables only those new water uses for which potential users provide full mitigation for the consumptive portion of their proposed use. The quantities of the withdrawals are unknown.

2. *Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.*

None.

c. *Water runoff (including stormwater)*

1. *Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.*

None

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

Does not apply.

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

The rule requires full mitigation of the consumptive portion of any new water rights.

4. Plants

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

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

Vegetation varies throughout the area.

b. What kind and amount of vegetation will be removed or altered?

None.

c. List threatened or endangered species known to be on or near the site.

The following state or federally-listed plant species are found in Kittitas County:

- | | |
|--------------------------------|-----------------------------------|
| Tall Agoseris | Swamp Gentian |
| Pasqueflower | Sagebrush Stickseed |
| Palouse Milk-vetch | Common Northern Sweet Grass |
| Columbia Milk-vetch | Longsepal Globemallow |
| Pauper Milk-vetch | Howell's Rush |
| Dwarf Evening-primrose | Hoover's Desert-parsley |
| Naked-stemmed Evening-primrose | Suksdorf's Monkey-flower |
| Bristly Sedge | Nuttall's Sandwort |
| Large-awn Sedge | Branching Montia |
| Few-flowered Sedge | Coyote Tobacco |
| Canadian Single-spike Sedge | Cespitose Evening-primrose |
| Thompson's Chaenactis | Adder's-tongue |
| Bristle-flowered Collomia | Snowball Cactus |
| Narrow-stem Cryptantha | Brewer's Cliff-brake |
| Gray Cryptantha | Fuzzytongue Penstemon |
| Beaked Cryptantha | Least Phacelia |
| Miner's Candle | Sticky Goldenweed |
| Clustered Lady's-slipper | Wenatchee Mountain Checker-mallow |
| Wenatchee Larkspur | Seely's Silene |
| White Eatonella | Western Ladies-tresses |
| Basalt Daisy | Water Awlwort |
| Piper's Daisy | Hoover's Tauschia |
| Salish Fleabane | |

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None.

5. Animals

- a. *Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:*

X birds: hawk, heron, eagle, songbirds, other:
X mammals: deer, bear, elk, beaver, other:
X fish: bass, salmon, trout, herring, shellfish, other:

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

Varies throughout the area. Threatened or endangered fish species may include: spring Chinook salmon, Steelhead, and Bull trout. Species of concern are Westslope cutthroat trout and Pacific lamprey.

Other threatened or endangered wildlife in the area are Peregrine falcon, Bald eagle, Northern spotted owl, Marbled murrelet, Lynx, and Larch Mountain salamander.

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

Salmonid species migrate in the rivers. The area is also a part of the Pacific Flyway used by a variety of migrating bird species.

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

The requirements for mitigation for any new water rights will help preserve stream resources and in or near-stream habitat.

6. Energy and Natural Resources

- a. *What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.*

Does not apply.

- b. *Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.*

No.

- c. *What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:*

None.

7. Environmental Health

- a. *Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.*

No.

1. *Describe special emergency services that might be required.*

None.

2. *Proposed measures to reduce or control environmental health hazards, if any:*

None.

8. Noise

- a. *What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?*
None.
- b. *What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.*
None.
- c. *Proposed measures to reduce or control noise impacts, if any:*
None.

9. Land and shoreline use

- a. *What is the current use of the site and adjacent properties?*
Land uses in Kittitas County include commercial timber, agriculture, livestock production and grazing, commercial, residential, industrial, and recreation. (See attached maps.)
- b. *Has the site been used for agriculture? If so, describe.*
Portions of the area are used for agriculture. Top crops in the county are hay, cattle, and apples.
- c. *Describe any structures on the site.*
A variety of residential, commercial, industrial, and public structures exist within the area.
- d. *Will any structures be demolished? If so, what?*
None.
- e. *What is the current zoning classification of the site?*
The majority of the county is zoned Commercial forest, Forest and range, or Commercial Agriculture. Smaller areas are zoned for commercial, residential, Industrial, and other uses. (See Kittitas County Zoning Map.)
- f. *What is the current comprehensive plan designation of the site?*
See above and attached land use map.
- g. *If applicable, what is the current shoreline master program designation of the site?*
Shoreline designations vary. See map of shoreline designations within Kittitas County.
- h. *Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.*
Some areas of the county have protection under a city or county critical area ordinance.
- i. *Approximately how many people would reside or work in the completed project?*
Does not apply.
- j. *Approximately how many people would the completed project displace?*
None. The rule amendment will not affect uses under existing water rights.
- k. *Proposed measures to avoid or reduce displacement impacts, if any:*
Does not apply.

1. *Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:*

Rule language is the result of negotiations with Kittitas County.

10. Housing

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

None

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

None

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

The rule provides for expedited processing for proposed water uses where mitigation is provided for the consumptive portion of the use.

11. Aesthetics

- a. *What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?*

Does not apply.

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

Does not apply.

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

None.

12. Light and glare

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

None.

- b. *Could light or glare from the finished project be a safety hazard or interfere with views?*

Does not apply.

- c. *What existing off-site sources of light or glare may affect your proposal?*

None.

- d. *Proposed measures to reduce or control light and glare impacts, if any:*

None.

13. Recreation

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

Boating, fishing, swimming, camping, and hiking occur within the watershed.

b. *Would the proposed project displace any existing recreational uses? If so, describe.*
No.

c. *Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:*

None, although the protection of instream resources includes recreational uses.

13. Historic and cultural preservation

a. *Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.*

Yes. The following historic sites lie in Kittitas County.

Olmstead Place State Park	4 Miles East of Ellensburg Near the Kittitas Hwy.
Assay Office	Townsite of Liberty
Liberty Historic District	Both Sides of Williams Creek Wagon Road
Viriden Arrastra	Approximately 20 Miles NE of Cle Elum and 6 Miles East of Hwy 97
Northwestern Improvement Company Store	First Street and Pennsylvania Avenue
Umtanum Creek Site	Address Restricted
Government Springs and the Pines	Address Restricted
Downtown Ellensburg Historic District	Roughly Bounded By 3rd and 6th Avenues, and Main and Ruby Streets
Washington State Normal School Building	Eighth Avenue
Springfield Farm	Nine Miles North of Ellensburg
Tekison Cave	Address Restricted
Thorp Mill	Thorp Highway off U.S. 10
Roslyn Historic District	WA 2 East
Cabin Creek Historic District	West of Easton
Governor's Mansion	716 East Third Avenue
Cle Elum-Roslyn Beneficial Association Hospital	505 Power Street
Nelson, Albert, Farmstead	Manastash Road
Ramsay House	215 East Ninth
First Railroad Addition Historic District	Roughly bounded by A Street on the West, D Street on the East, Tenth Ave on the North, and Ninth Ave on the South
Ames, William O., House	109 East 6th Avenue
Milwaukee Road Bunkhouse	526 Marie
Northern Pacific Railway Passenger Depot	606 West Third Street
Chicago, Milwaukee, St. Paul and Pacific Railroad--Kittitas Depot	Junction of Railroad Avenue and Main Street
Shoudy House	309 West Fifth Avenue
Lake Keechelus Snowshed Bridge	Interstate Route 90, Near Snoqualmie Pass
Gray, Dr. Paschal and Agnes, House	606 North Main Street
Kittitas County Fairgrounds	512 North Poplar Street
Salmon La Sac Guard Station	North of Cle Elum in Wenatchee National Forest
WA Pai Xie Archaeological District	Address Restricted
Kinkade, John W., Farmstead	Off U.S. 7b
Munro, Douglas, Burial Site	Forest Ranger Road
Vogue Theater	210 Pennsylvania Avenue
Chicago, Milwaukee, St. Paul, and Pacific Railroad: South Cle Elum Yard	Near Milwaukee Road and Reservoir Canyon Road
Kinney Building	108 - 110 1/2 East 1st Street
Roslyn Riders Club House, Track and Arena	State Route 903 and Martin Road
Ross, Will, Barn	371 Heron Farm Lane

McNeil, Herbert G., Barn	4311 Umptanum Road
Barns	5810 Naneum Road, 683 Goodwin Road, 4621 Rader Road, 4461 Umptanum Road, 1640 Kittitas Highway
Harrell, Ed, Barn	8411 Lyons Road
Zuke Barn	Highway 97
Brunn, Dr. Christian, Barn	791 Watson Road

- b. *Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.*
See above.
- c. *Proposed measures to reduce or control impacts, if any:*
None.

14. Transportation

- a. *Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.*
Kittitas County is bisected by I-90. Major roads also include highways 10, 97, 903, and 970.
- b. *Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?*
Hope Source operates a Dial-a-lift service for seniors and the disabled in the county.
- c. *How many parking spaces would the completed project have? How many would the project eliminate?*
Does not apply.
- d. *Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).*
No.
- e. *Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.*
The county contains the Cle Elum Municipal Airport and Bower's Field Airport (near Ellensburg), a rail line runs near I-90, and shipping occurs along the Columbia River. Demands for these services are likely to be similar under the proposed rule as they would be absent the rule.
- f. *How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.*
Does not apply.
- g. *Proposed measures to reduce or control transportation impacts, if any:*
None.

15. Public services

- a. *Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.*
Implementation and enforcement of the rule should not increase demands for public services.

- b. *Proposed measures to reduce or control direct impacts on public services, if any.*
None.

16. Utilities

- a. *Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*

All of these services are available in some portion of the county.

- b. *Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.*

Does not apply.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:



Date Submitted:

6/16/10

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions.)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. *How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?*

Discharges are not likely to be greater under the proposed rule than absent the rule.

Proposed measures to avoid or reduce such increases are:

None.

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

The rule is not likely to affect plants, animals, fish, or marine life.

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

None.

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

The rule should not decrease energy or natural resources in respect to what would occur absent the rule.

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

None.

4. *How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?*

The rule is unlikely to affect these types of areas.

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

By protecting stream flows and existing water rights, the rule may reduce impacts on these resources.

5. *How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?*

The proposed rule would not allow or encourage land or shoreline uses incompatible with existing plans. Areas zoned for residential development in Upper Kittitas County may be developed to the full zoned density where public water is available and through mitigation through the water bank.

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

None.

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

The proposed rule may encourage development to occur in areas where public water is available. Therefore, public water utilities may see increased demand for new service connections. Other transportation services and utilities in these areas will also experience some increased demand. Transportation routes and services, public services, and utilities in rural areas are likely to experience less increased demand than would have occurred absent the proposed rule. The proposed rule is not likely to increase or decrease development in the county, overall.

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

None.

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

The rule does not conflict and laws or requirements for protection of the environment.