

Exhibit 10



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 11, 2024

Alex Baruch, Senior Planner
City of Tumwater
Development Services Department
555 Israel Road Southwest
Tumwater, WA 98501

Dear Alex Baruch:

Thank you for the opportunity to comment on the mitigated determination of nonsignificance for the New Market Apartments Project (TUM-21-1322 and TUM-23-0909) as proposed by Bob Woolf. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SOLID WASTE MANAGEMENT: Derek Rockett (360) 995-3176

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

TOXICS CLEANUP: Thomas Middleton (360) 999-9594

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

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

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

Department of Ecology
Southwest Regional Office

Alex Baruch
April 11, 2024
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(JKT:202401315)

cc: Derek Rockett, SWM
Thomas Middleton, TCP

Alex Baruch

From: Brad Beach <beach.brad@nisqually-nsn.gov>
Sent: Friday, March 29, 2024 12:15 PM
To: Alex Baruch
Cc: Annette Bullchild
Subject: FW: City of Tumwater - New Market Apartments SEPA Determination - TUM-21-1322 & TUM-23-0909
Attachments: TUM-21-1322 & TUM-23-0909 Response.pdf

You don't often get email from beach.brad@nisqually-nsn.gov. [Learn why this is important](#)

Good afternoon, Alex,

Did the City of Tumwater require a cultural resources assessment as requested?

Thank you,
Brad Beach, THPO
Nisqually Indian Tribe
360-456-5221 x 1277
360-528-1084

From: Teresa Snyder <TSnyder@ci.tumwater.wa.us>
Sent: Friday, March 29, 2024 9:05 AM
Subject: City of Tumwater - New Market Apartments SEPA Determination - TUM-21-1322 & TUM-23-0909

Some people who received this message don't often get email from tsnyder@ci.tumwater.wa.us. [Learn why this is important](#)

CAUTION! - This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The SEPA Determination for [New Market Apartments](#) is ready to view. If you have any questions or would like additional information, please contact Alex Baruch, 360-754-4180 or abaruch@ci.tumwater.wa.us.

Teresa Snyder | Certified Permit Technician
City of Tumwater Community Development
555 Israel Rd SW | Tumwater, WA 98501
(360) 252-5499 x 2646
tsnyder@ci.tumwater.wa.us | www.ci.tumwater.wa.us



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

July 20, 2023

To: Alex Baruch, Associate Planner
City of Tumwater
Community Development
555 Israel Rd SW
Tumwater, WA 98501

Re: TUM-21-1322 & TUM-23-0909

The Nisqually Indian Tribe's THPO has reviewed the notice of application that you provided for the above-named project and requests that the City of Tumwater require a cultural resources survey before permitting any ground disturbing activities. 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