

# *Energizing* ..... East Bay

## Frequently Asked Questions About Environmental Evaluations, Site Contamination, and Site Cleanup

*As planning for the 14 acres of East Bay Renewal Projects continues, many questions and concerns have been raised about environmental issues. This fact sheet offers answers to the most commonly asked questions.*

### **East Bay Contamination**

**Are these sites contaminated?** – Yes, low levels of contamination have been found in portions of the properties and in underlying groundwater. Soil and groundwater samples were collected by: 1) the Port of Olympia in preparation for subdividing the property, 2) the City as part of their interest in the proposed site for City Hall, and 3) LOTT on the 1.9 acres they wish to purchase. Initial testing shows the presence of petroleum-based compounds and low levels of arsenic in the groundwater, both fairly common forms of contamination on sites with a history of industrial activity. Further testing is underway.

**How contaminated are these sites?** – Results of initial testing show contamination that is common to long-time industrial areas. The contamination is not of sufficient concern to restrict access to the site. In fact, the site is in active use and public access is not currently restricted. The contamination at this site does not compare to that found at the Cascade Pole site, which was much more severe. The initial data provided to the Department of Ecology led Ecology to request further testing and a

cleanup plan under the Voluntary Cleanup Program. The initial data indicated that contamination is not serious enough to require that site cleanup be supervised by Ecology under the Model Toxics Control Act.

**Will these sites be hazardous for people to visit even after cleanup?** – No. Contamination will be removed or sealed as part of cleanup. Thorough environmental assessment and cleanup is required prior to construction of the East Bay projects, ensuring that the property will be safely restored for public uses. This is one of the major public benefits of these projects. Additionally, the site will be completely remediated, eliminating the site as a possible contributor to future contamination in Budd Inlet.

**What caused the contamination?** – It is likely the result of historical uses of the sites. A title search on the East Bay site reveals a history of lumber mills, businesses associated with fabrication of wood products, and a railway spur. These businesses were operating at a time when there were few, if any, regulations in place to guide their operations and minimize environmental damage. It was common

practice to burn industrial refuse on-site in a burn pile. These businesses also would have used petroleum-based compounds to operate and maintain equipment. Historic industrial activities throughout the port peninsula have caused contamination of both land and off-shore sediments. For the past 20 years, the Port, in partnership with the Department of Ecology, has implemented a multi-phase approach to clean up these sites.

## **Site Testing and Cleanup**

**How is the testing being done? What are you testing for?** – Testing is completed in phases. Phase 1 begins with a title search of the property to determine historic uses of the site. Based on past industrial uses, likely contaminants are identified and a sampling plan is prepared. Historic photographs may provide helpful information about where specifically to test for compounds associated with burn piles or other activities. Drilling is conducted to collect core samples of soils and to establish groundwater monitoring wells if existing wells are not available for sampling. Soil and water samples are collected and sent to a certified laboratory for testing. Results of Phase 1 testing are used to determine if Phase 2 testing is needed and, if so, to develop a sampling plan.

Phase 2 testing provides a more detailed look at areas where Phase 1 results indicate potential contamination. In these “hot spots”, additional samples are collected at a higher density to get a more accurate picture of the extent of contamination. This testing may occur several times, with results of each wave of testing used to determine new sampling plans until a clear, comprehensive picture of site contamination is completed.

In the case of the East Bay property, Phase 1 testing included screening for over 50 potential contaminants. Results showed presence of petroleum-based compounds in

some areas and very low levels of arsenic in two of the ten wells where groundwater samples were taken. Phase 2 testing and testing for dioxins is currently underway.

**What happens if dioxins are found?** – Testing will reveal not only whether dioxins are present, but at what levels and to what spatial extent. The levels would be compared to the “background” level, the level considered normal for the region. If dioxins are present but at levels below “background,” treatment would not be required. The Department of Ecology will determine what actions are necessary depending on the levels of dioxins that are found on the site.

### **How is cleanup conducted?**

Ultimately, the types of contaminants and extent of contamination will determine the exact protocols for clean-up. For some constituents, it is best to remove the contaminated soil and transport it for disposal at a certified landfill. Depending on the constituent, it may be transported in open-air trucks or in sealed containers. For other constituents, it is best to “cap” the contamination on site and seal it so that it will not interact with adjacent soil or water. If the groundwater is contaminated, it is often possible to pump it through a treatment system to remove the contamination and then return it to the aquifer.

For the East Bay site, initial testing indicates contamination that is commonly resolved with removal and disposal of contaminated soils. However, the formal cleanup plan cannot be determined until Phase 2 testing is complete and the Department of Ecology has reviewed and approved the plan.

**Who’s going to pay for the cleanup?** – Ultimately, the Port will bear the cost of cleanup. In the case of the 1.9 acres of property that LOTT is purchasing from the Port, the estimated cleanup cost is being deducted from the purchase price. LOTT will then use that “savings” to cover the cost

of the cleanup. For the remaining 14 acres, similar arrangements are likely, with the Port deducting the cost of cleanup from the sale price of parcels.

**Who will be responsible for doing the cleanup?** – The individual organizations will conduct cleanup related to their project areas. LOTT will conduct the cleanup on the property it is purchasing from the Port. The City will likely conduct the cleanup on the Hands On Children’s Museum site and the City Hall site (if East Bay property is ultimately chosen for that purpose). The Port will be responsible for cleanup of the other East Bay properties and for ongoing groundwater monitoring under all the sites. All of the cleanup work will be done in coordination with the Department of Ecology, through the Voluntary Cleanup Program under the Washington State Model Toxics Control Act (173.340 WAC).

**How will you ensure the cleanup is successful?** – The East Bay partner organizations are working together with the Department of Ecology to develop a comprehensive cleanup plan through the Voluntary Cleanup Program (VCP). Testing for soil contamination and on-going groundwater monitoring will likely be required at least quarterly for one full year following cleanup, and then once every five years, to ensure that cleanup was effective. The specific actions necessary to complete the cleanup will be proposed under the VCP. These will include things such as removal of contamination, provisions for capping or confining contamination safely underground, and restrictions on future site excavations that may disturb the confined contamination.

**When will cleanup occur?** – Cleanup will occur concurrently with the development of each project on the affected parcels. Since LOTT’s Administrative-Education Center is the first project in line to start construction, cleanup of that property will occur in 2008. Cleanup in the area of the new Children’s Museum will likely follow.

**Is the City of Olympia considering the Safeway site for the new City Hall location because of contamination issues on the Port property?** – No, contamination is not the reason for the City’s move to consider the Safeway site. It is possible that the Safeway site will involve some contamination and cleanup requirements, since it is also located in an historically industrial area. The City is interested in the Safeway site primarily because it does not involve the same timing issues as the Port property. The Safeway site is available for purchase immediately. It does not require subdivision or significant infrastructure development. Thus, construction could begin sooner, with fewer complications. The City has indicated that its option on Safeway is intended to allow consideration for City Hall, a parking garage, or other public purposes.

**How does contamination of this property relate to the dioxin contamination in marine sediments?** – No linkage is indicated between this property and contamination of marine sediments in East Bay or Budd Inlet. Any marine sediment issues will be addressed as part of the broader Budd Inlet marine cleanup efforts.

**With similar contamination on other sites in the area, is it safe to encourage the public to visit the area by developing these projects?** - Yes, it is safe to encourage the public to visit the area. Public access to this property is currently unrestricted because the known contamination does not present a significant risk to the public. By developing these projects, we ensure that any existing site contamination is resolved and that the property is safely restored for active public use. Similar contamination has been resolved at nearby sites, such as the Olympia Farmer’s Market, the Intercity Transit Center, and Percival Landing Park, all of which represent once-contaminated sites that were cleaned up and developed

into community amenities that receive heavy public use.

**How do the East Bay projects relate to Budd Inlet studies and cleanup plans? –**

It's a separate process, although all are being coordinated through the Department of Ecology's Toxic Cleanup Program. Other cleanup sites within and around Budd Inlet include: Budd Inlet Sediments Investigation (the dioxin contamination study), Hardel Mutual Plywood, Cascade Pole, Industrial Petroleum, and Reliable Steel. Ultimately, the cleanup and isolation of contamination at each of these sites, including the East Bay property, contributes to the overall cleanup of Budd Inlet by eliminating potential sources of marine contamination.

**Other Environmental Evaluations**

**What other kinds of environmental evaluations are involved in the East Bay projects? –**

An important part of the planning for each project is an environmental evaluation under the State Environmental Policy Act (SEPA). SEPA requires state and local agencies to consider the likely environmental consequences of a proposal before approving or denying the proposal.

**What's involved in SEPA evaluations? –**

The first step is completion of an "Environmental Checklist," which asks questions about the project and its potential impacts on the environment. Questions address earth, air, water, plants, animals, energy, environmental health, land use, transportation, public services, and utilities. The lead agency may also conduct other specialized studies, such as traffic or wetlands assessments. Based on all the information, the lead agency issues a "Threshold Determination." That is the formal decision as to whether or not the proposal is likely to cause a significant adverse environmental impact for which mitigation cannot be easily identified. If the proposal is not likely to have a significant adverse environmental impact, this will be a

**"Determination of Nonsignificance (DNS)"**

If, however, the information indicates that significant adverse environmental impacts are likely, the lead agency will issue a "Determination of Significance" (DS) and preparation of a more extensive Environmental Impact Statement (EIS) will be required. The EIS will include an evaluation of alternatives to the proposal and measures that would eliminate or reduce the likely environmental impacts of the proposal. Most of these processes include public comment opportunities. The agency decisionmakers will consider the environmental information and comments received, along with technical, economic, and other information about the proposal, as they decide whether or not to approve the proposal.

**What are the environmental issues involving these properties? –**

Existing site contamination is a current issue, which is already being addressed. Traffic, parking, open space, noise, safety, building heights, and aesthetics are common issues each of the projects needs to address. Questions have also been raised about the potential impact of climate change and sea level rise on the projects.

**What SEPA evaluations are being done?**

- LOTT completed an Environmental Checklist and issued a Determination of Nonsignificance for its Budd Inlet Treatment Plant Master Plan, which proposes several major upgrades to the existing Treatment Plant, construction of the upgraded Water Quality Laboratory and new Administrative/Education Center, and the purchase 1.9 acres of property from the Port (July 6, 2007).
- The Port completed an Environmental Checklist and issued a Determination of Nonsignificance for sale of the 1.9 acres to LOTT (July 30, 2007).
- The Port issued an Environmental Checklist and Mitigated Determination of Nonsignificance to short plat the East Bay property into nine lots, implement associated street improvements, and

demolish existing structures on the site (September 12, 2007).

- LOTT will be preparing an Environmental Checklist and issuing a Threshold Determination for construction of the Laboratory and Administrative /Education Center to be built on its existing Treatment Plant site in late 2007.
- The City will be preparing an Environmental Checklist and issuing a Threshold Determination for the Hands On Children's Museum in 2008.
- The City will be preparing an Environmental Checklist and issuing a Threshold Determination for its City Hall site, after a final location has been chosen, in 2008 or 2009.

**Who is the lead agency for SEPA reviews of the East Bay projects?**

– For each specific proposal, one agency is usually identified as the “lead agency.” For public projects, the lead agency is typically the agency proposing the project. The Port, LOTT and the City are lead agencies for their respective projects. For the Port's SEPA relating to the property subdivision and infrastructure, the City of Olympia preferred to serve as reviewer for the development, rather than Lead Agency. For each of these SEPA evaluations, several other state and local agencies, including the other East Bay partners, have the opportunity to provide formal comment, thus assuring a system of checks and balances.

**Why isn't an Environmental Impact Statement (EIS) being prepared for the combined projects? Why don't you evaluate all the projects together rather than separately?**

– The Port has carefully considered which type of environmental assessment is appropriate for these projects. A full EIS is not appropriate or required because there are no significant impacts to trigger the need for an EIS and the project proposals are consistent with the previously planned uses for this site. If the individual projects were dependent upon one another, so that one would not happen

without the other, a combined evaluation would be appropriate and necessary. However, none of these individual projects is dependent upon the others. LOTT's Administrative/ Education Center will be built regardless of what happens with the Hands On Children's Museum or City Hall projects. Similarly, the Museum or commercial developments can be built regardless of what happens with the other projects. Thus, these projects are considered separate proposals under SEPA. Additionally, each of these individual projects is part of a broader plan of the respective partner and an EIS has been completed for each of those broader plans. For example, the LOTT Alliance completed an EIS for its Wastewater Resource Management Plan, the Port for their Comprehensive Plan, and the City for their Comprehensive Plan. The Port is currently updating their Comprehensive Plan and will complete SEPA action as part of that effort.

**Effects of Earthquakes, Climate Change, and Sea Level Rise**

**Will these sites flood as the result of climate change and sea level rise?** – Sea level rise associated with climate change and flooding are somewhat separate issues, though both have the potential to impact these sites. To address potential flooding due to low elevations of the site, the Port has designed infrastructure to minimize flooding issues. The Federal Emergency Management Agency indicates that the flood elevation in the area is 11 feet. Elevations at the site currently range from 10-11.5 feet. All proposed roadways needed to serve the property will be constructed at or above the flood elevation of 11 feet. All future buildings will be constructed with a minimum finished floor of 13 feet per the City of Olympia building code.

Recent modeling of sea level rise shows impacts to this area in 50 to 100 years during extreme high tides or extreme storm events. This is an issue that all the project

partners take very seriously. The City of Olympia has taken the lead to evaluate the potential impacts and investigate options for addressing them.

**Why build in an area that may flood? –**

Our communities have already made substantial investments in this area. Office buildings, commercial developments, housing, the Farmers' Market, not to mention LOTT's central Budd Inlet Treatment Plant, are all located in this area and may be subject to flooding and impacts of sea level rise. In fact, much of the downtown area could be affected. It is important that we work together to find a broader solution to this issue, rather than address each project individually or abandon the entire affected area.

The communities' wastewater treatment plant has been located here for over 55 years. It is an essential public facility that must be protected. Some people have suggested that the treatment plant should be relocated because of potential for future flooding. That is much more complex than it sounds. The estimated cost to move the Plant would be \$1.3 billion and would take an estimated 25-30 years for property acquisition, environmental evaluations, design, permitting, and construction – if an alternative to Puget Sound for discharge of treated water could even be found. But moving the Treatment Plant would not be enough. The sewer systems from all three cities – Lacey, Olympia, and Tumwater – were built to send wastewater to the Budd Inlet location via gravity flow. Thus, major changes to the entire sewer system would also be required. Clearly, the complexity and expense of relocating this facility, not to mention the numerous other public and private investments in the area, suggest that the more practical option is to protect the area as a whole. Our community will need to address these issues and develop solutions to potential flooding whether or not these East Bay projects occur.

**Why build in an area known to be fill? Won't the soils shift or liquefy during an earthquake? –**

Knowing the soil conditions ensures that engineers design the structures to withstand these potential conditions. For example, the new LOTT Administrative/Education Center will be built on 50 foot pilings to reach a soil layer less susceptible to shifting. Similar techniques were used to construct a number of building on the Port peninsula, including the Market Centre building and Anthony's Restaurant. All over the world, structures are engineered to compensate for local geology and sustain acts of nature.

**For More Information...**

For more information about the topics in this FAQs fact sheet, please contact:



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